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LAVELY & SINGER

PROFESSIONAL CORPORATION

2049 Century Park East, Suite 2400

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Telephone: (310) 556-3501

Attorneys for Defendant

BIG GRRRL BIG TOURING, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ASHA DANIELS, an Individual,

Plaintiff,

vs.

BIG GRRRL BIG TOURING, INC., a
Delaware Corporation; CAPS
PAYROLL, an unknown California
Business Organization; MELISSA
JEFFERSON (aka "LIZZO"), as an
Individual; CARLINA GUGLIOTTA, as
an Individual; AMANDA NOMURA, as
an Individual, and DOES 1 through 10,
inclusive,

Defendants.

Case No. 2:24-cv-03571 FLA (PVCx)
[Hon. Fernando L. Aenlle-Rocha]

**DECLARATION OF MELISSA Y.
LERNER IN SUPPORT OF
DEFENDANT BIG GRRRL BIG
TOURING, INC.'S MOTION FOR
SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, PARTIAL
SUMMARY JUDGMENT**

[EXHIBITS 1-12]

Date: August 22, 2025

Time: 1:30 p.m.

Hon. Fernando L. Aenlle-Rocha

Courtroom: 6B

DECLARATION OF MELISSA Y. LERNER

I, Melissa Y. Lerner, declare as follows:

1. I am an attorney at law duly licensed to practice before all the courts of this state and am a partner of the law firm Lavelly & Singer Professional Corporation, attorneys for Defendant BIG GRRRL BIG TOURING, INC. (“BGBT” or “Defendant”). I have personal and first-hand knowledge of the matters set forth in this Declaration and, if called and sworn as a witness, I could and would testify competently thereto under oath.

2. On June 27, 2025, I contacted counsel for Plaintiff, Ronald L. Zambrano, to schedule a telephonic conference of counsel to discuss Defendant’s anticipated Motion for Summary Judgment (“MSJ”). Mr. Zambrano agreed to a call on July 3, 2025. On July 3, 2025, I participated in a telephonic conference of counsel with Mr. Zambrano and my colleague, Megan Mallonee, regarding the bases for Defendant’s anticipated MSJ. As part of our discussion, I informed Mr. Zambrano that no stand-alone cause of action for failure to engage in the interactive process exists under the Americans with Disabilities Act (“ADA”), in contrast to California’s Fair Employment & Housing Act (“FEHA”). It was on this basis that BGBT would seek summary judgment as to Plaintiff’s sixth claim for relief. Before the call ended, we agreed that my colleague, Ms. Mallonee, would send Mr. Zambrano legal authority regarding this subject. At 2:47 p.m. on July 3, 2025, Ms. Mallonee sent an email citing case law and requesting that Mr. Zambrano notify our office if Plaintiff would dismiss the fifth claim for relief. I sent a follow-up email on July 11, 2025 regarding the same issue and received no response. Attached hereto as **Exhibit 1** are true and correct copies of Ms. Mallonee’s July 3 email and my July 11 email to opposing counsel. As of the date of this Declaration, we have received no further communication regarding Plaintiff’s plan to pursue or dismiss her fifth claim for relief.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Request for Dismissal of the Complaint as to Defendant Amanda Nomura without prejudice, which was filed on April 30, 2024 in the Los Angeles Superior Court action styled as *Asha Daniels v. Big Grrrl Big Touring, Inc. et al.*, Los Angeles Superior Court Case No. 23SMCV04465, and which was returned by the Clerk on May 1, 2024, reflecting the entry of dismissal on April 30, 2024. **Exhibit 2** is the subject of Defendant's Request for Judicial Notice, filed concurrently herewith.

4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts of the June 2, 2025 deposition of Plaintiff Asha Daniels.

5. Attached hereto as **Exhibit 4** is a true and correct copy of March 2023 messages in the Whatsapp group "LZO::: Special Tour – Crew," which was marked as Exhibit 2 at the June 2, 2025 deposition of Asha Daniels (*see* Exhibit 3 hereto at 15:9-17:3).

6. Attached hereto as **Exhibit 5** is a true and correct copy of a photo sent on March 11, 2023 in the Whatsapp group "LZO::: Special Tour – Crew," which was marked as Exhibit 3 at the June 2, 2025 deposition of Asha Daniels (*see* Exhibit 3 hereto at 15:9-18:25).

7. Attached hereto as **Exhibit 6** is a true and correct copy of Plaintiff's Charge of Discrimination submitted against BGBT to the Equal Employment Opportunity Commission on December 20, 2023, which was marked as Exhibit 4 at the June 2, 2025 deposition of Asha Daniels (*see* Exhibit 3 hereto at 22:14-23:11).

8. Attached as **Exhibit 7** is a true and correct copy of a February 2023 email from Dulce Martin to Plaintiff with the subject line "LZO::: Special Tour – PPE Reminder," which was marked as Exhibit 7 at the June 2, 2025 deposition of Asha Daniels (*see* Exhibit 3 hereto at 199:22-200:11).

9. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts of the June 17, 2025 deposition of Plaintiff Asha Daniels.

1 10. Attached hereto as **Exhibit 9** is a true and correct copy of Plaintiff's social
2 media post, which was marked as Exhibit 26 at the deposition of Plaintiff Asha Daniels
3 (*see* Exhibit 8 at 256:11-257:17).

4 11. Attached hereto as **Exhibit 10** is a true and correct copy of Plaintiff's
5 February 2023 direct messages about the Tour, which was marked as Exhibit 31 at the
6 deposition of Plaintiff Asha Daniels (*see* Exhibit 8 at 336:5-337:23, 339:21-25, 340:5-
7 14).

8 12. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts of the
9 December 9, 2024 deposition of Amanda Nomura.

10 13. Attached hereto as **Exhibit 12** is a true and correct copy of text messages
11 from February 2023 between Amanda Nomura and Plaintiff, which was marked as
12 Exhibit 10 at the deposition of Amanda Nomura (*see* Exhibit 11 at 112:14-114:14).

13 14. Attached hereto as **Exhibit 13** is a true and correct copy of a February 2023
14 email from Amanda Nomura to Plaintiff which was marked as Exhibit 12 at the
15 deposition of Amanda Nomura (*see* Exhibit 11 at 122:5-124:20, 125:1-11).

16 15. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts of the
17 June 16, 2025 deposition of Carlina Gugliotta.

18 16. Attached hereto as **Exhibit 15** is a true and correct copy of text messages
19 from February 2023 through March 2023 between Plaintiff and Carlina Gugliotta, which
20 was marked as Exhibit 25 at the deposition of Carlina Gugliotta (*see* Exhibit 14 hereto at
21 14:17-15:9).

22 17. Attached hereto as **Exhibit 16** is a true and correct copy of excerpts of the
23 June 18, 2025 deposition of Chris Coffie.

24 18. Attached hereto as **Exhibit 17** is a true and correct copy of BGBT's Crew
25 Daysheets provided to Plaintiff during her employment, which was marked as Exhibit G
26 at the deposition of Chris Coffie (*see* Exhibit 16 at 31:8-32:14).

19. Attached hereto as **Exhibit 18** is a true and correct copy of January 2023 correspondence about Plaintiff's start date with BGBT, which was marked as Exhibit I at the deposition of Chris Coffie (*see* Exhibit 16 at 35:13-37:5).

EXHIBIT 1

Melissa Y. Glass

From: Megan Mallonee
Sent: Thursday, July 3, 2025 2:47 PM
To: Ronald Zambrano
Cc: Madilaine Venzon; Crystal Mohsin; Martin Singer; Michael Weinsten; Melissa Y. Glass
Subject: RE: Time Sensitive - Expert Discovery Issues

Thanks Ron, we will get this on file.

Please see below for the discussed authority on Plaintiff's claim for failure to engage in the interactive process, which is not a basis for a standalone claim:

"[T]here is no independent cause of action under the ADA for failing to engage in an interactive process." *Weeks v. Union Pac. R.R. Co.*, 137 F. Supp. 3d 1204, 1217 (E.D. Cal. 2015) (citing *Kramer v. Tosco Corp.*, 233 Fed.Appx. 593, 596 (9th Cir.2007)). In *Kramer*, the court ruled that the trial court properly refused to give a jury instruction that "would have misled the jury into erroneously believing that there existed an independent cause of action for failing to engage in the interactive process." *Kramer*, 233 Fed.Appx. at 596.

"In other words, there exists no stand-alone claim for failing to engage in the interactive process. Rather, discrimination results from denying an available and reasonable accommodation." *Snapp v. United Transportation Union*, 889 F.3d 1088, 1095 (9th Cir. 2018) (noting that an employer faces liability only if it fails to engage in the interactive process *and* "a reasonable accommodation would have been possible.")

Please let us know if Plaintiff plans to dismiss this claim for relief.

Best,

MEGAN S. MALLONEE | Lavelly & Singer P.C.
Tel.: (310) 556-3501 | Cell: (704) 773-2294



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW AND MAY NOT BE PUBLISHED OR DISSEMINATED IN WHOLE OR IN PART. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE LAW OFFICES OF LAVELY & SINGER PC IMMEDIATELY BY TELEPHONE (310-556-3501) OR E-MAIL (REPLY TO SENDER'S ADDRESS), AND THEN DESTROY ALL COPIES OF THIS COMMUNICATION AND ANY ATTACHED FILES. THANK YOU.

From: Ronald Zambrano <ron@westcoasttriallawyers.com>
Sent: Thursday, July 3, 2025 1:56 PM
To: Megan Mallonee <mmallonee@lavellysinger.com>
Cc: Madilaine Venzon <madilaine@westcoasttriallawyers.com>; Crystal Mohsin <crystal@westcoasttriallawyers.com>; Martin Singer <MDSinger@lavellysinger.com>; Michael Weinsten <mweinsten@lavellysinger.com>; Melissa Y. Glass

Melissa Y. Glass

From: Melissa Y. Glass
Sent: Friday, July 11, 2025 3:48 PM
To: Ronald Zambrano; Crystal Mohsin
Cc: Marlyn Cortez; Megan Mallonee; Michael Weinsten
Subject: (Time Sensitive) Disposition of Plaintiff's Fifth Cause of Action

Importance: High

Dear Ron and Crystal,

Please let us know **no later than 5 pm Pacific on Monday, July 14**, whether Plaintiff will voluntarily dismiss her fifth cause of action against BGBT (for failure to engage in the interactive process under the ADA) with prejudice.

I am copying below the legal authority Megan sent to Ron on July 3, reflecting the well-settled proposition that no such stand-alone claim is recognized under the ADA (unlike FEHA).

Should you agree to dismiss this claim, we would appreciate that you file the dismissal with the Court no later than 5 pm Pacific on Tuesday, July 15, given our upcoming summary judgment deadline. I appreciate your prompt attention to this matter.

Sincerely,

Melissa

Please see below for the discussed authority on Plaintiff's claim for failure to engage in the interactive process, which is not a basis for a standalone claim:

"[T]here is no independent cause of action under the ADA for failing to engage in an interactive process." *Weeks v. Union Pac. R.R. Co.*, 137 F. Supp. 3d 1204, 1217 (E.D. Cal. 2015) (citing *Kramer v. Tosco Corp.*, 233 Fed.Appx. 593, 596 (9th Cir.2007)). In *Kramer*, the court ruled that the trial court properly refused to give a jury instruction that "would have misled the jury into erroneously believing that there existed an independent cause of action for failing to engage in the interactive process." *Kramer*, 233 Fed.Appx. at 596.

"In other words, there exists no stand-alone claim for failing to engage in the interactive process. Rather, discrimination results from denying an available and reasonable accommodation." *Snapp v. United Transportation Union*, 889 F.3d 1088, 1095 (9th Cir. 2018) (noting that an employer faces liability only if it fails to engage in the interactive process *and* "a reasonable accommodation would have been possible.")

Please let us know if Plaintiff plans to dismiss this claim for relief.

MELISSA Y. GLASS (née LERNER)
LAVELY & SINGER
PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

2049 Century Park East, Suite 2400
Los Angeles, California 90067-2906
Telephone: (310) 556-3501 x 264
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THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW AND MAY NOT BE PUBLISHED OR DISSEMINATED IN WHOLE OR IN PART. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE LAW OFFICES OF LAVELY & SINGER PROFESSIONAL CORPORATION IMMEDIATELY BY TELEPHONE (310-556-3501) OR E-MAIL (REPLY TO SENDER'S ADDRESS), AND THEN DESTROY ALL COPIES OF THIS COMMUNICATION AND ANY ATTACHED FILES. THANK YOU.

EXHIBIT 2

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 255613 NAME: Ronald L. Zambrano, Nick Yasman (State Bar No. 325488) FIRM NAME: WEST COAST EMPLOYMENT LAWYERS, APLC STREET ADDRESS: 1147 South Hope Street CITY: Los Angeles STATE: CA ZIP CODE: 90015 TELEPHONE NO.: 213-927-3700 FAX NO.: 213-927-3701 E-MAIL ADDRESS: efilings@westcoasttriallawyers.com ATTORNEY FOR (Name): Plaintiff Asha Daniels	FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles 04/30/2024 David W. Slayton, Executive Officer / Clerk of Court By: <u>J. Morgan</u> Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 1725 Main Street MAILING ADDRESS: 1725 Main Street CITY AND ZIP CODE: Santa Monica, 90401 BRANCH NAME: Santa Monica Courthouse	
Plaintiff/Petitioner: Asha Daniels Defendant/Respondent: Big Grrrl Big Touring, Inc., et al.	
REQUEST FOR DISMISSAL	
CASE NUMBER: 23SMCV04465	
A conformed copy will not be returned by the clerk unless a method of return is provided with the document.	
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)	

1. TO THE CLERK: Please **dismiss** this action as follows:a. (1) ☐ With prejudice (2) ☒ Without prejudiceb. (1) ☒ Complaint (2) ☐ Petition(3) ☐ Cross-complaint filed by (name):

on (date):

(4) ☐ Cross-complaint filed by (name):

on (date):

(5) ☐ Entire action of all parties and all causes of action(6) ☒ Other (specify):* as to Defendant AMANDA NOMURA ONLY

2. (Complete in all cases except family law cases.)

The court ☐ did ☒ did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: 04/30/2024

Ronald L. Zambrano, Esq.

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.



(SIGNATURE)

Attorney or party without attorney for:

☒ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

(SIGNATURE)

** If a cross-complaint – or Response (Family Law) seeking affirmative relief – is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

Attorney or party without attorney for:

☐ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross Complainant

(To be completed by clerk)

4. ☐ Dismissal entered as requested on (date):5. ☒ Dismissal entered on (date): 04/30/2024 as to only (name): ~~Of a a a a~~ [{ ~ ! æ6. ☐ Dismissal **not entered** as requested for the following reasons (specify):7. a. ☒ Attorney or party without attorney notified on (date): 05/01/2024b. ☐ Attorney or party without attorney not notified. Filing party failed to provide☐ a copy to be conformed☐ means to return conformed copy

Date: 05/01/2024

Clerk, by

J. Morgan, Deputy

Page 1 of 2

Plaintiff/Petitioner: Asha Daniels Defendant/Respondent: Big Grrrl Big Touring, Inc., et al.	CASE NUMBER: 23SMCV04465
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COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*:
 - a. ☐ not recovering anything of value by this action.
 - b. ☐ recovering less than \$10,000 in value by this action.
 - c. ☐ recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. ☐ All court fees and court costs that were waived in this action have been paid to the court *(check one)*:

Yes No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY MAKING DECLARATION)



(SIGNATURE)

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1147 South Hope Street, Los Angeles, CA 90015.

On April 30, 2024, I served the foregoing document **REQUEST FOR DISMISSAL** on the interested parties in this action by placing a true copy or original thereof enclosed in a sealed envelope, addressed as follows:

Martin Singer, Esq.
mdsinger@lavelysinger.com
Michael E. Weinsten, Esq.
mweinsten@lavelysinger.com
Melissa Y. Lerner, Esq.
mlerner@lavelysinger.com
Megan Mallonee
mmallonee@lavelysinger.com
Noelia Echesabal
nechesabal@lavelysinger.com

LAVELY & SINGER, APC
2049 Century Park East, Suite 2400
Los Angeles, California 900671

Counsel for Defendants,
Melissa Jefferson (pka Lizzo),
Big Grrrl Big Touring, Inc., Carlina
Gugliotta, and Amanda Nomura

☐ **BY MAIL (CCP §1013(a) and CCP §2015.5):** I am readily familiar with the firm's practice of collection and processing documents for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC MAIL (CCP §1010.6; CCP §1013(g) and CCP §2015.5):** I caused the document(s) to be sent from e-mail address *marlyn@westcoasttriallawyers.com* to the persons at the electronic notification address listed in the service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was not successful.

☐ **BY OVERNIGHT DELIVERY (CCP §1013(c)(d) and CCP §2015.5):** I caused such documents to be delivered via express service carrier to the office of the addressee.

☐ **BY PERSONAL SERVICE (CCP §1011 and CCP §2015.5):** I caused such documents to be hand-delivered to the office of the addressee.

☒ State ☐ Federal

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed April 30, 2024, at Los Angeles, California.



Marlyn Cortez

EXHIBIT 3

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASHA DANIELS,
an individual,

Plaintiff,

vs.

Case No.
2:24-CV-03571
FLA(PVCx)

BIG GRRRL BIG TOURING, INC., a
Delaware corporation; CAPS
PAYROLL, an unknown California
Business Organization; MELISSA
JEFFERSON (aka "LIZZO"), as an
individual; CARLINA GUGLIOTTA,
as an individual; AMANDA NOMURA,
as an individual, and
DOES 1 through 10, inclusive,

Defendants.

VIDEOTAPED DEPOSITION OF ASHA DANIELS

VOLUME I

MONDAY, JUNE 2, 2025

9:16 A.M. - 2:52 P.M.

2049 Century Park East, Suite 2400

Los Angeles, California

Reported By:
PAMELA A. STITT
CSR No. 6027
Lexitas Job No. 124840

Asha Daniels

June 2, 2025

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASHA DANIELS,
an individual,

Plaintiff,

vs.

BIG GRRRL BIG TOURING, INC., a
Delaware corporation; CAPS
PAYROLL, an unknown California
Business Organization; MELISSA
JEFFERSON (aka "LIZZO"), as an
individual; CARLINA GUGLIOTTA,
as an individual; AMANDA NOMURA,
as an individual, and
DOES 1 through 10, inclusive,

Defendants.

Case No.
2:24-CV-03571
FLA(PVCx)

Videotaped Deposition of ASHA DANIELS, taken
on behalf of Defendants, commencing at 9:16 a.m. and
ending at 2:52 p.m. on Monday, June 2, 2025,
stenographically reported before Pamela A. Stitt,
CSR No. 6027.

Asha Daniels

June 2, 2025

1 APPEARANCES:

2

3 For Plaintiff:

4 WEST COAST EMPLOYMENT LAWYERS, APLC
5 BY: RONALD L. ZAMBRANO
6 ATTORNEY AT LAW
7 1147 South Hope Street
8 Los Angeles, California 90015
9 213.927.3700
10 ron@westcoasttriallawyers.com

8

9 For Defendants Melissa Jefferson aka Lizzo, Big
10 Grrrl Big Touring, Inc. And Carlina Gugliotta:

11 LAVELY & SINGER
12 BY: MICHAEL E. WEINSTEN
13 MELISSA Y. LERNER
14 MEGAN MALLONEE
15 ATTORNEYS AT LAW
16 2049 Century Park East
17 Suite 2400
18 Los Angeles, California 90067-2906
19 310.556.3501
20 mweinsten@lavelysinger.com
21 mlerner@lavelysinger.com

17 The videographer:

18 SEAN KEANE
19 LEXITAS

19

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22

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25

Asha Daniels

June 2, 2025

1 A. 243 Troy Avenue, Apartment 4D, Brooklyn, New
2 York 11213, I believe.

3 Q. Okay. Ms. Daniels, you understand you just
4 took an oath?

5 A. Yes, I do.

6 Q. And you understand that oath requires you to
7 testify as truthfully and accurately as if you were in a
8 court of law?

9 A. Yes, I do.

10 Q. And you understand it carries with it the
11 penalty of perjury should you lie to us today?

12 A. Yes, I do.

13 Q. Ms. Daniels, you worked for Big Grrrl Big
14 Touring between February 14th and March 5th, 2023; is
15 that correct?

16 A. I'm sorry. Can you say those dates again.

17 Q. February 14th and March 5th, 2023.

18 A. Yes, that is correct. I don't know if it makes
19 sense, but I also designed for them earlier in the
20 previous year, but as far as touring those dates are
21 correct.

22 Q. Okay. Did you receive W-2s when you were
23 designing for them in the previous year?

24 A. I'm honestly not sure, but I know that's
25 something that I could look through my e-mail and find

Asha Daniels

June 2, 2025

1 out for sure.

2 Q. Do you know if your 109- --

3 In other words, were you an employee or were
4 you doing this as an independent contractor?

5 A. Independent --

6 MR. ZAMBRANO: Hold on. The designer stuff?

7 MR. WEINSTEN: Yes. This is pre. We're --

8 THE WITNESS: Oh, the designer stuff. Okay.
9 Definitely as an independent contractor.

10 BY MR. WEINSTEN:

11 Q. Okay. At that time you worked for somebody
12 named Mondo?

13 A. That is correct.

14 Q. So Mondo was your employer back then in
15 that previous --

16 A. Technically --

17 Q. -- year?

18 A. -- you could say that, yes.

19 Q. Okay. By the way, what is Mondo's full name?

20 A. Mondo Guerra.

21 Q. Okay. So right now I just want to focus on
22 your time with the touring.

23 What was your title or did you have a title?

24 A. I was, I believe, wardrobe assistant.

25 Q. Okay. And what were your responsibilities as

Asha Daniels

June 2, 2025

1 at the wardrobe assistant?

2 A. My responsibilities were to take care of the
3 garments that I also helped design and produce, so if
4 something busted, needed to be taken in, I would sew it
5 or fix it.

6 I also was in charge of a team of local workers
7 in each city that we went to, so I was in charge of
8 delegating tasks to them, taking care of them, assigning
9 them breaks and just making sure that we got the work
10 that we needed to get done done in a timely manner so
11 that the tour could run smoothly.

12 We also laundered the girls' clothing, got
13 stains out, just everything to make sure that they
14 looked good on stage.

15 Q. Okay. When you talk about taking care of the
16 garments, are you talking about the dancers' garments,
17 Lizzo's garments or both?

18 A. Both.

19 Q. And, in fact, you never actually met Lizzo when
20 you were on tour between February 14th and March 5th; is
21 that correct?

22 A. I never formally met her. I saw her in the
23 hallway once and I smiled at her and waved.

24 Q. I'm sorry. What was the last part?

25 A. I smiled at her and waved.

Asha Daniels

June 2, 2025

1 Q. Oh, you smiled at her and waved.

2 But you never spoke words to her?

3 A. That is correct.

4 Q. Was that the only time you ever saw her and
5 interacted with her, was the smiling and wave?

6 A. It was the only time I directly interacted with
7 her, but I saw her every time we had a tour date.

8 Q. Now, you filed a complaint in this action,
9 correct?

10 A. That is correct.

11 Q. And you are now on the second amended
12 complaint; is that correct?

13 A. I believe so.

14 Q. Okay. And you read this before you filed it?

15 A. Yes.

16 Q. And you understood when you make a filing in a
17 court it's a very serious matter when you are making
18 allegations about somebody, particularly if it is a
19 public figure, correct?

20 A. Absolutely.

21 Q. So you made sure when you read through this
22 complaint everything in there was accurate and true,
23 correct?

24 A. Absolutely.

25 Q. Okay. And in fact -- Excuse me.

Asha Daniels

June 2, 2025

1 I'm going to mark as Exhibit 1 the "Second
2 Amended Complaint," which is the operative complaint in
3 the case.

4 MR. ZAMBRANO: Thank you.

5 MR. WEINSTEN: And ask that you turn to page 8,
6 paragraph 30.

7 THE WITNESS: Okay.

8 (Deposition Exhibit 1 was marked.)

9 BY MR. WEINSTEN:

10 Q. In paragraph 30 -- I will read this into the
11 record -- it states:

12 "Compounding the dissolutionment with

13 Lizzo's tour, Plaintiff also endured

14 sexual harassment by Lizzo's team.

15 Specifically, there was a group chat of

16 over 30 plus people from the BGBT team,

17 which included Lizzo's tour management

18 and Plaintiff. In the group message, a

19 backstage manager sent a photo

20 graphically depicting male genitalia.

21 No one from Lizzo's management team

22 addressed this graphic sexual imagery

23 in the workplace appropriately.

24 Instead, Lizzo's management found the

25 image to be comical, further

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1 encouraging an unsafe, sexually charged
2 workplace culture."

3 Am I correct that this is one of your claims
4 for sexual harassment --

5 A. Yes.

6 Q. -- in the workplace?

7 A. And it is true.

8 Q. And you were offended by this; is that right?

9 A. Yes.

10 Q. And it altered your working circumstances; is
11 that right?

12 A. Yes.

13 MR. WEINSTEN: Okay. We will introduce as
14 Exhibit 2. Exhibit 2 is a screen grab of a social media
15 post that was produced by your counsel in this case.

16 (Deposition Exhibit 2 was marked.)

17 BY MR. WEINSTEN:

18 Q. This is the image that you received that you
19 found to be offensive; is that correct?

20 MR. ZAMBRANO: Hold on. I will object to the
21 extent this is not a social media post.

22 MR. WEINSTEN: Whatever. I'm sorry. It's a --

23 MR. ZAMBRANO: It's a WhatsApp message.

24 MR. WEINSTEN: It's a WhatsApp. Sorry. My
25 apologies. Thank you for correcting that.

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1 Q. This is the WhatsApp post that you were
2 referring to in your complaint; is that correct?

3 A. That is correct.

4 Q. Okay. And when you received this, you received
5 this on a cell phone?

6 A. That is correct.

7 Q. And so it is fair to say that the image that we
8 are looking at in Exhibit 2 when you received it on the
9 cell phone, it was actually smaller than what we're
10 seeing here on the page; is that correct?

11 A. That is correct.

12 Q. And the male genitalia you are referring to, if
13 you look in the image on Exhibit 2 where it says
14 "Thanks" and there is a photograph above the "Thanks,"
15 which frankly I can't even make out in this blowup
16 version, that is the male genitalia you are referring
17 to; is that correct?

18 A. Not only that. The entire word "Thanks" I
19 believe is made of penises.

20 Q. I'm sorry. The what?

21 A. The word "Thanks" is entirely made of penises.

22 Q. Okay. But how can you see that in this?

23 A. I believe this is just a pixelated printout,
24 but I -- You know, if you have it on your phone and you
25 click on it, which is what people normally do when they

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1 get a text message, you can see it clearly.

2 Q. Now, when you received this -- this WhatsApp,
3 did you have to blow it up to be able to make out that
4 there was actually male genitalia in this? Did you have
5 to --

6 A. No. And just to also complete my last
7 answer -- I'm sorry -- there is also a picture on the
8 bottom left of a man with a penis and then the two
9 things he's holding are penises as well.

10 Q. In fact, Ms. Daniels, this post was sent on
11 March 11th of 2023; isn't that right?

12 A. I don't have a clear memory of the exact date
13 that this happened, but I know that is something that
14 can be pulled up as a fact.

15 MR. WEINSTEN: Let's mark as Exhibit 3,
16 Ms. Daniels.

17 (Deposition Exhibit 3 was marked.)

18 BY MR. WEINSTEN:

19 Q. This is another document produced by your
20 counsel, which he got from you, indicating that the post
21 was sent on March 11th -- or the WhatsApp was sent on
22 March 11th.

23 Do you see that?

24 MR. ZAMBRANO: Wait. Hold on. I'll -- I'll
25 object to the extent that's not what it supposedly says.

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1 MR. WEINSTEN: No coaching. Just if you
2 object, just say misrepresents --

3 MR. ZAMBRANO: I'm sorry.

4 MR. WEINSTEN: -- the document. I'm going to
5 ask her the question.

6 MR. ZAMBRANO: I will say whatever I want to
7 say. If you want to stop, we can stop because you don't
8 like that. Can I just finish?

9 MR. WEINSTEN: What I am going to say is I'm
10 not going to allow you to coach the witness, okay, so
11 say your objection concisely in accordance with the
12 rules and then we'll move forward with an answer.

13 MR. ZAMBRANO: Okay. So I will start again.

14 Objection. Misstates the document, lacks
15 foundation, assumes facts.

16 Go ahead.

17 BY MR. WEINSTEN:

18 Q. Am I correct, Ms. Daniels, that, in fact, the
19 WhatsApp that you received that you were suing my client
20 over was actually sent on March 11th; isn't that right,
21 Ms. Daniels?

22 A. To be honest, as I stated, I don't know the
23 exact date that it comes, but I believe I was unfairly
24 sent home and fired on March 4th and I know that I
25 received this before then.

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1 Q. So if I have all of the other 30 people who saw
2 this WhatsApp and show that it was on March 11th, your
3 testimony is that, in fact, all of those people are
4 lying because you, in fact, received it before you were
5 sent home; that's your testimony?

6 A. I cannot speak on what other people would or
7 wouldn't say, if it's a lie or not, but my testimony is
8 I know that I received this and I know that when I was
9 sent home I was put out of the group chat.

10 Q. Do you still have that WhatsApp on your phone
11 that was printed and produced by your lawyer in this
12 case?

13 A. I might.

14 Q. Okay. Can you take a look at your phone --

15 MR. ZAMBRANO: She's not doing --

16 BY MR. WEINSTEN:

17 Q. -- and tell me the date.

18 MR. ZAMBRANO: She's not doing that now. Move
19 on.

20 BY MR. WEINSTEN:

21 Q. This is the only document you produced in the
22 case, Ms. Daniels. I would like to know during the
23 break take a look at the WhatsApp. I'm going to ask
24 your lawyer to produce the version of this that you say
25 under oath that you received prior to the time you were

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1 terminated. Okay?

2 A. Okay.

3 MR. ZAMBRANO: And for the record, I'm not
4 agreeing to do that, but you can ask whatever you want.

5 MR. WEINSTEN: Counsel, you have been asked to
6 produce this stuff. We have the witness here. She is
7 under oath, she has made the statement by the way
8 previously under oath, I have a dozen witnesses who will
9 testify that, in fact, she is lying on one of the
10 critical issues in the case. She now has an opportunity
11 sitting here today before she gets sued for malicious
12 prosecution to correct the record and say she made a
13 mistake.

14 I'm giving you that opportunity during the
15 break. If you don't take the opportunity, then it's on
16 you.

17 MR. ZAMBRANO: So are you going to ask
18 questions or are you just going to pontificate?

19 MR. WEINSTEN: No. I asked --

20 MR. ZAMBRANO: You should probably follow the
21 rules as much as you are asking me to follow the rules.

22 MR. WEINSTEN: Counsel --

23 MR. ZAMBRANO: Okay?

24 MR. WEINSTEN: Counsel, I'm asking --

25 MR. ZAMBRANO: What's your next question?

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1 MR. WEINSTEN: This is directed to you in
2 order -- it's a request. You were supposed to produce
3 the documents that we requested. You produced one image
4 dated March 11th. There is no image that you produced
5 dated any earlier date so we will move on.

6 Q. Now, not only did you swear to these facts that
7 you received this e-mail or this WhatsApp, you didn't
8 just swear here today, previously prior to filing your
9 lawsuit you stated under oath that -- Sorry -- you
10 stated under oath that, in fact, this was a post that
11 you received that altered your working circumstance; is
12 that right?

13 A. I'm sorry. Can you say the question again.

14 Q. The testimony you just gave now, this is not
15 the first time you testified about receiving this
16 WhatsApp during your employment. Prior to filing the
17 lawsuit you signed a sworn statement that you provided
18 to the EEO- -- to the U.S. Equal Employment Opportunity
19 Commission where you also stated under oath that that
20 WhatsApp that is Exhibit 3 was sent to you during your
21 working time, correct?

22 A. I don't believe that the issue of when I
23 received this has ever come up. I think the issue is is
24 that this is totally inappropriate and it makes women
25 feel uncomfortable and unsafe.

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1 Q. Well, let's take a look at Exhibit 7 (sic) so
2 we have exactly what you testified to under oath to the
3 EEOC.

4 A. Okay.

5 MR. WEINSTEN: We will mark as Exhibit 4 your
6 sworn statement to the EEOC.

7 MR. ZAMBRANO: You initially said 7.

8 MR. WEINSTEN: No. No. It is Exhibit 4.
9 Sorry. It was my Tab 7 in my binder.

10 MR. ZAMBRANO: Got it.

11 (Deposition Exhibit 4 was marked.)

12 BY MR. WEINSTEN:

13 Q. Okay. If you turn to page 56.

14 MR. ZAMBRANO: He means this page (indicating).

15 THE WITNESS: Oh, okay.

16 BY MR. WEINSTEN:

17 Q. By the way, what day -- under your testimony
18 what day did you receive the WhatsApp?

19 MR. ZAMBRANO: Asked and answered.

20 You can answer it again.

21 BY MR. WEINSTEN:

22 Q. Did you say March 4th?

23 A. No, I did not say that.

24 Q. Okay.

25 A. I said I'm not sure when I received it, but I

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1 know for a fact that I received it and I know that it is
2 inappropriate.

3 Q. Okay. My question is: What day did you
4 receive it?

5 A. I don't know. I can't recall.

6 Q. Did you receive it one day before you were
7 fired or --

8 A. I can't recall.

9 Q. -- was it two days before?

10 A. I can't recall.

11 Q. Was it a week before?

12 A. So the reason that I'm saying that I can't
13 recall is this happened quite a while ago, and what I do
14 know is that I received this and it made me extremely
15 uncomfortable and it made me feel unsafe, but I do not
16 have a perfect memory. While I was on tour I was sleep
17 deprived and, yeah, I don't think a lot of people would
18 be able to recall the exact date and time that they
19 received a text message.

20 Q. By the way, I'm also going to ask your counsel,
21 because you testified that you were able to see the
22 genitalia on your phone, I'm going to ask your counsel
23 to have you when you pull up the WhatsApp on your phone
24 during this deposition I would like you to show it to
25 the camera so that the jury, if this case ever were to

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1 make it to a jury, can see exactly what we are talking
2 about here; is that fair?

3 A. I believe my lawyer --

4 MR. ZAMBRANO: Hold on. Hold on. Just say
5 "yes" or "no."

6 THE WITNESS: And what is the question?

7 MR. ZAMBRANO: I'm not sure what the question
8 is.

9 BY MR. WEINSTEN:

10 Q. I'm asking that after the break when you pull
11 up that WhatsApp image on your phone, I'm going to ask
12 that you show it to the camera because you testified
13 that somehow when you looked at it on your phone,
14 despite that I cannot even see any genitalia in the
15 blown up image, I would like you to show the jury on
16 your phone how you were able to see it without blowing
17 it up. That's it. Are you willing to do that? That's
18 it. It's "yes" or "no."

19 A. I find it hard to believe that you can't see a
20 penis here.

21 MR. ZAMBRANO: Don't argue -- Hold on. Let's
22 not argue with him.

23 THE WITNESS: Sorry.

24 BY MR. WEINSTEN:

25 Q. On the blowup version --

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1 A. You can see it, right?

2 Q. I would like you to show it to us on the phone.

3 Okay.

4 MR. ZAMBRANO: What's the --

5 MR. WEINSTEN: It's all right. We can move on.

6 MR. ZAMBRANO: Okay.

7 MR. WEINSTEN: We'll take our break in an hour
8 or whatever and then we'll come back with your WhatsApp
9 and you will show it to the video so the whole jury can
10 see it.

11 MR. ZAMBRANO: I'm not going to let her do
12 that. We can have it --

13 MR. WEINSTEN: Then we are going to bring a
14 motion to compel and I will bring her back here. That's
15 just nonsensical. What's the basis to not have her do
16 that?

17 MR. ZAMBRANO: I'm not meeting and conferring
18 with you --

19 MR. WEINSTEN: Okay. Whatever.

20 MR. ZAMBRANO: -- on the record right now. Can
21 you ask her questions about her memory.

22 Q. Now, if you go back to --

23 That is about her memory. And now I'm
24 challenging her memory.

25 MR. ZAMBRANO: Okay.

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1 BY MR. WEINSTEN:

2 Q. By the way -- Okay.

3 Let's just turn to pages 56 to 57, if you look
4 at paragraph 17 of your sworn statement. Just read it
5 to yourself.

6 MR. ZAMBRANO: I'm sorry. Which paragraph?

7 MR. WEINSTEN: Paragraph 17.

8 Q. Could you read that to yourself, please.

9 And then my question is: That is the exact
10 same statement that we just read in paragraph 13 of your
11 Second Amended Complaint. If you could just confirm
12 that for me.

13 A. I'm sorry. Can you repeat the question.

14 Q. Can you please read paragraph 17 --

15 A. I did.

16 Q. -- to yourself and my question to you is:
17 Could you confirm that paragraph 17 is, in fact, the
18 same allegations that we just reviewed in your complaint
19 that was in paragraph 30?

20 A. That is correct. And there is no date or time
21 of when I received the text message.

22 Q. Now, can you take a look at page 57.

23 A. Okay.

24 Q. Where it says you "declare under penalty of
25 perjury under the laws of the United States the

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1 foregoing is true and correct," that is your signature;
2 is that correct?
3 A. That is an imposed signature. That's not my
4 actual signature.
5 Q. Were you intending to sign this document under
6 penalty of perjury?
7 A. That is correct.
8 Q. Okay. Now, in your statement at paragraph 17
9 signed under penalty of perjury you state here that:
10 "...Lizzo's management found the image
11 to be comical, further encouraging an
12 unsafe, sexually charged workplace."
13 Who in Lizzo's management found the image to be
14 comical?
15 A. So this was not just a text message that was
16 sent to our group chat. It also -- This happened in
17 person as well so this was a running joke amongst a lot
18 of the production and management team and I can't say
19 that I have exact names but for sure Kyle and Maureen
20 thought it was funny as --
21 Q. I'm sorry. Hold on. I have to take the names.
22 So the people that you say found the image, the one in
23 the WhatsApp, to be funny is the first name is who?
24 A. Kyle, who is in the image.
25 Q. I'm sorry. What's Kyle's last name?

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1 A. I'm not sure.

2 Q. And what is Kyle's position?

3 A. I want to say that he was in Ambiance but don't
4 quote me on that because I'm not sure.

5 Q. Okay. Who was the second person?

6 A. Maureen, who is the one who sent the picture.

7 Q. Who else?

8 A. And then as you can see four people have liked
9 and laughed at it, like with an Emoji reaction.

10 Q. Okay. Who are those people?

11 A. I'm not sure. If --

12 Q. So you --

13 A. -- it's still on my phone, I know that is
14 something that we can find out but I'm not sure.

15 Q. So sitting here today the only two people in
16 management that you are aware of that laughed and found
17 this comical are Kyle and Maureen; is that correct?

18 A. No. It would also be the four people that
19 laughed at it. And there's --

20 Q. But you don't know that they are in management;
21 isn't that right?

22 A. I'm not sure because I don't know who those
23 people are --

24 Q. That could have been --

25 A. -- offhand.

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1 Q. That could have been you, couldn't it?

2 A. There's no way it could have been me.

3 Q. It could have been other low-level people
4 within the organization; isn't that right?

5 A. I don't really look at people as low level or
6 high level so to me that's --

7 Q. Okay. Well, here in your sworn statement you
8 said "management." "Management" would be upper level;
9 isn't that right?

10 A. It depends on who you ask.

11 Q. Okay. Now, what is Maureen's last name?

12 A. I believe it's Collett because that's what it
13 says but I'm not sure.

14 Q. And what was Maureen's position?

15 A. I believe she was also in Ambiance.

16 Q. What is Ambiance?

17 A. They were in charge of the layout of where
18 people went backstage and they also set up Lizzo's room
19 and worked closely with her to get her like a bathtub
20 everywhere we went and, like, plants and all the things
21 she required.

22 Q. Did you speak to Kyle about this image?

23 A. No.

24 Q. Did you see Kyle looking at this image?

25 A. No.

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1 Q. Did you see Kyle talking about this image?

2 A. Yes.

3 Q. Okay. Where did you see Kyle talking about
4 this image?

5 A. This was an ongoing joke backstage, so I also
6 saw this in person, it wasn't just on my phone.

7 Q. Okay. You didn't say that in your sworn
8 statement or in your complaint; isn't that correct?

9 A. There is a lot of small details that weren't
10 put in my statement. That doesn't mean that it's not
11 true.

12 Q. So just to be clear, is it your testimony now
13 for the first time because you didn't swear to the EEOC
14 about this, is it your testimony that this image that we
15 are looking at here you saw this somewhere before it was
16 sent to the group chat; is that correct?

17 A. That is correct.

18 Q. Okay. And in what form was the image?

19 A. So you see it in person. This is a pretty big
20 case and the lid is lifted up and there is a bunch of
21 penises that make out the word "Thanks" and then there
22 is two pictures of men that are erect and their penises
23 are being shown and there were candies that were
24 penises.

25 Q. Okay. And when did you first see the image?

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1 When did you first see it in person?

2 A. I cannot say the exact date that I saw it in
3 person.

4 Q. Just give me an estimate.

5 You said before you left you saw this in
6 person --

7 By the way, was this gentleman here who is in
8 the image, was he in that picture that you saw?

9 A. Are you asking me is he in the picture that I'm
10 looking at?

11 Q. No. When you saw --

12 You said the image that we're looking at, you
13 saw some version of it, presumably the board here that
14 we're looking at with these things posted, presumably
15 you are saying that is what you saw in person; is that
16 right?

17 A. That is correct, I saw this case with the
18 penises in person.

19 Q. Okay. And this gentleman wasn't standing there
20 when you saw it in person; is that correct?

21 A. He was in the room.

22 Q. He was in the room. Okay.

23 And when did you first see this?

24 A. Once again, I cannot tell you an exact date but
25 it was while I was on tour.

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1 Q. Okay. Is it this person --

2 Was it his birthday, the guy who was --

3 Who is this by the way?

4 A. His name is Kyle.

5 Q. That's Kyle?

6 A. Yes.

7 Q. Okay. And it was his birthday?

8 A. I believe so.

9 Q. Okay. Do you know when Kyle's --

10 Was it presented to him as a birthday gift?

11 A. I wasn't part --

12 MR. ZAMBRANO: Calls for speculation.

13 Please answer.

14 THE WITNESS: I wasn't part of this so I don't

15 know.

16 BY MR. WEINSTEN:

17 Q. Okay. When did you --

18 So you think it was a week before you were

19 fired?

20 Whether you were fired or quit, we don't know,

21 but was it a week before March 5th that you saw this --

22 not the image -- not the photo but the board here,

23 whatever this is?

24 What is that, by the way?

25 A. What is what?

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1 Q. What is this an image of?

2 A. So these are large cases that get moved that
3 have equipment, costumes, all the things we need on
4 tour, and once again, I cannot tell you the exact date
5 that I saw it in person or that I received it.

6 Q. And you have no estimate whatsoever?

7 A. It was while I was on tour.

8 Q. How many times did you see it when you were on
9 tour?

10 MR. ZAMBRANO: Are we talking --

11 Hold on. Are we talking about the picture or
12 in person?

13 MR. WEINSTEN: Right now we're just talking
14 about the in person.

15 MR. ZAMBRANO: Okay. In person.

16 BY MR. WEINSTEN:

17 Q. How many times did you see that on tour?

18 A. I saw it throughout the day.

19 Q. On one day?

20 A. I believe so.

21 Q. Okay. So you saw it on one day and where was
22 it located?

23 A. It was located in one of the rooms --

24 Q. Which room?

25 A. -- backstage.

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1 It would be kind of impossible to tell you
2 which room because backstage there's a ton of rooms and
3 people just work out of the rooms, so it's not like I
4 could say it was in room A.

5 Q. Was this at a stadium or at a venue?

6 A. Correct.

7 Q. Which venue was it?

8 A. I do not remember.

9 Q. Are you sure about that?

10 A. I'm positive.

11 Q. So you don't remember if it was in Oslo?

12 A. I do not remember.

13 Q. You don't know if it was in Copenhagen?

14 A. Once again, I do not remember where it was. We
15 went to so many cities and I was sleep deprived so I
16 could not tell you.

17 Q. Okay. When you saw it on that one day --

18 By the way, you went in the room a couple of
19 times. What were you doing in the room?

20 A. Working.

21 Q. What was in the room that required you to be in
22 there?

23 A. I had to talk to people in this room so I went
24 in and out of a lot of the rooms to coordinate with
25 people and to, yeah, get my job done.

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1 Q. Okay. But what else was in the room besides
2 this case?

3 A. I don't have a memory of what exactly was in
4 the room, but I was likely in there to talk to someone
5 for coordination purposes.

6 Q. You were likely or you were in there to talk to
7 somebody?

8 A. As I told you, I don't remember. But it's such
9 a long workday that I could not tell you exactly why I
10 was in there every time I was in there, but I had to
11 coordinate with these people, they were my co-workers.

12 Q. When you went in there and you saw the case
13 that you found to be so offensive, who were you talking
14 to when you were in there?

15 A. I don't remember.

16 Q. Okay. Who else was in the room when you walked
17 in the first time and you saw the case?

18 A. I don't remember. It would be impossible to
19 tell you who was in every room that I ever walked in
20 because I worked really long hours, and like I said, I
21 was running low on sleep and I had a million things
22 going on, so I don't think anyone on the tour could tell
23 you who was in what room at any given time.

24 Q. What was -- Did you discuss -- When you
25 walked in --

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1 Were you offended when you first walked in and
2 saw it?

3 A. When I saw it, I was both offended but also --
4 like I had a pit in my stomach. It made me really
5 uncomfortable.

6 Q. Okay. Did you tell anybody when you walked
7 into this room with the people who you don't recall who
8 were there having a conversation you don't recall
9 having, when you walked in there, did you tell anybody
10 that you were offended by it?

11 MR. ZAMBRANO: Hold on. Misstates prior
12 testimony.

13 You can answer.

14 BY MR. WEINSTEN:

15 Q. Did you tell anybody you were offended when you
16 first walked in the room and you saw that?

17 A. No, I did not. I did not have many people that
18 I could trust or be friends with on tour that I could
19 say something like that to. I was isolated.

20 Q. Okay. What about this --

21 How many times did you walk in the room with
22 this offensive image?

23 A. There is no way I could tell you how many
24 times.

25 Q. Was it more than once?

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1 A. Absolutely.

2 Q. More than twice?

3 A. Yes. But I don't know how many times. I did a
4 lot of walking in and out of rooms to do my job.

5 Q. Was it more than five times?

6 A. Probably.

7 Q. Was it more than ten times?

8 A. I couldn't tell you.

9 Q. Did it at any time occur to you don't go into
10 the room because there is something in there that
11 offends me?

12 A. I didn't have that option. I had a job to do.

13 Q. But who were you meeting with that you had to
14 keep going into this room which --

15 By the way, what else was in the room besides
16 this case?

17 A. I don't have a photographic mem- -- a
18 photographic memory. Probably tables, chairs, a desk,
19 but --

20 Q. Was there --

21 A. -- I don't have a photographic memory of it.

22 Q. Was there any wardrobe in the room?

23 A. Wardrobe would go in and out of that room.

24 Q. Okay. Was any wardrobe in the room when you
25 walked in there?

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1 MR. ZAMBRANO: Hold on. Vague and ambiguous as
2 to time.

3 Please answer the question.

4 THE WITNESS: I'm not sure. It's likely I
5 might have been holding some costumes but I'm not sure.

6 BY MR. WEINSTEN:

7 Q. Now nobody on tour ever made sexual advances
8 towards you personally --

9 By the way -- sorry -- you never -- you wrote a
10 number of texts to Ms. --

11 By the way, how do you pronounce it, is it
12 Gugliotta or Gugliotta?

13 A. Gugliotta, I believe.

14 Q. Gugliotta. Okay.

15 You sent Ms. Gugliotta a number of texts where
16 you were complaining about things in the workplace; is
17 that right?

18 A. That is correct.

19 Q. So you felt when you did that that she was
20 somebody you could speak to if you had a problem; isn't
21 that right?

22 A. I hoped that she was, but I wasn't sure.

23 Q. Okay. You never texted Ms. Gugliotta that you
24 had a problem because you saw penises in an image in a
25 room on tour, correct?

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1 A. There were a lot of things that I wasn't able
2 to report to her because I had to report what I thought
3 were really pressing at the time. Every day a lot of
4 bad things happened.

5 Q. The question is: You never once complained to
6 Ms. Gugliotta about the images that you were offended by
7 that had the penises on them, correct?

8 A. No.

9 Q. No, not correct or I am correct?

10 A. No, I never complained to her about this
11 specifically.

12 Q. And I think you testified --

13 A. And I will say --

14 Q. Just to be clear, you testified you didn't
15 complain to anybody else, right?

16 A. If I did, it was like one of the few people
17 that I could kind of tell things to. But I will also
18 say that Kyle was a friend of Carlina so I wouldn't feel
19 comfortable telling her that this was inappropriate and
20 offensive and made me feel unsafe.

21 Q. Is that why you didn't tell Ms. Gugliotta about
22 the offensive images?

23 A. I will say that I didn't know if I could trust
24 her or the way they handle inappropriate things in the
25 workplace and that I wouldn't be retaliated against if I

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1 did.

2 Q. Okay. So all the other things that you
3 complained to her about, including your boss Ms. Nomura,
4 those things you felt you could tell Ms. Gugliotta
5 without being retaliated against but you felt you would
6 be retaliated if you told her you saw some penises that
7 offended you; is that correct?

8 MR. ZAMBRANO: Hold on. Lacks foundation, not
9 -- misstates her testimony.

10 You can answer the question.

11 BY MR. WEINSTEN:

12 Q. You can answer.

13 A. That's not true.

14 Q. Now, no one on --

15 I don't know if you answered this question. No
16 one on tour ever made sexual advances towards you,
17 correct?

18 A. Not in a direct way.

19 Q. Okay. Now, are you familiar with a club in
20 Amsterdam called Bananenbar?

21 A. I've heard of it but I've never been.

22 Q. What's your understanding as to what Bananenbar
23 is?

24 A. It's a sex performance club, I believe.

25 Q. Do you know what happens at Bananenbar?

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1 A. That --

2 MR. ZAMBRANO: Hold on. I'm going to -- We're
3 getting outside the scope of this case so --

4 MR. WEINSTEN: How is it outside the scope?
5 She is suing for sexual harassment of things that
6 happened on tour. One of them is Bananenbar. Is your
7 point that Bananenbar is not part of her case?

8 MR. ZAMBRANO: No, it's not part.

9 MR. WEINSTEN: It's not part of the case?

10 MR. ZAMBRANO: It's not part of Asha Daniels'
11 case because it's not even in the complaint.

12 MR. WEINSTEN: Okay. Okay.

13 Q. Just to be clear, then, let me ask her this
14 way --

15 MR. ZAMBRANO: Actually --

16 BY MR. WEINSTEN:

17 Q. -- is your claim -- I want to understand
18 this -- is your claim for sexual harassment you are not
19 including events that happened at Bananenbar; is that
20 correct?

21 A. That is correct.

22 Q. Okay. Thank you. I will move on.

23 Now, to your knowledge did Ms. Nomura ever say
24 anything to you that you found to be --

25 Well, let me ask you this way: Did

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1 Ms. Nomura --

2 You have talked about things that other people
3 have done. Did Ms. Nomura do anything that you found to
4 be offensive in a sexual manner?

5 A. Yes.

6 Q. Okay. What did Ms. Nomura do?

7 A. She objectified the dancers and their bodies by
8 talking about them being overweight and Lizzo by talking
9 about her body and her being fat. She also told me that
10 I was not allowed to interact with Lizzo because I was,
11 like, sexually appealing and I felt like that was really
12 inappropriate to objectify me in that way.

13 Q. Okay. I'm talking about something different.
14 I know that's part of your -- other parts of your case.
15 I'm just talking now about the sexual harassment part of
16 the case.

17 So far you have identified the image that is in
18 Exhibit 2 that you found to be -- to create a hostile
19 work environment on the basis of sex. You told me
20 Bananenbar was not part of it.

21 Now what I am trying to understand: Was
22 anything to do with Ms. Nomura part of the sexual
23 harassment case as opposed to other parts of your case?

24 A. As far as the legal technicality of what falls
25 under sexual harassment I would have to ask my lawyer.

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1 But I did feel like her comments that objectified me
2 felt like sexual harassmt as well.

3 Q. Okay. But did she ever say anything to you --
4 to you or in front of you about sex itself?

5 A. I do not have a memory of that right now, but
6 it's not to say that she didn't.

7 Q. Okay. Did she --

8 By the way did she ever discuss Bananenbar with
9 you?

10 A. No.

11 Q. Did she ever talk about sex workers with you?

12 A. No.

13 Q. Did she ever talk about sex workers in front of
14 you?

15 A. She was part of a conversation about sex
16 workers that occurred in front of me.

17 Q. Okay. And what was that --

18 First of all, when did that conversation take
19 place?

20 A. I believe it was the day that we got to
21 Amsterdam.

22 Q. Okay. Who was in that conversation?

23 A. People in production that were on our bus that
24 I cannot tell you the exact names of.

25 Q. So this occurred on a bus?

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1 A. Correct.

2 Q. Okay. Can you tell me any of the -- any
3 individuals who were part of this conversation other
4 than Ms. Nomura?

5 A. I don't know their names. There were a lot of
6 people that I did not know their actual names.

7 Q. How many people were part of this conversation?

8 A. Maybe three.

9 Q. Maybe or there were three?

10 A. I can't tell you it was definitely three. The
11 way the bus is set up people move in and out of
12 different sections and are part of the conversation and
13 then they aren't, so I wouldn't feel comfortable giving
14 you a hard exact number.

15 Q. Okay. By the way, was this the bus where
16 you -- where your sleeping accommodations were?

17 A. That is correct.

18 Q. Okay. And you think that this was on the way
19 to Amsterdam?

20 A. I believe so.

21 Q. And other than Ms. Nomura, the other two people
22 you have no idea who they are?

23 A. I might be able to identify them if I saw a
24 picture, but I don't know their names.

25 Q. Were they male or female?

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1 A. Like I said, there were people in and out of
2 the conversation. There were --

3 Q. I understand. In that conversation with the
4 three people were they male or female?

5 MR. ZAMBRANO: Mike, if you keep interrupting
6 her, I'm going to walk out of here. I would like to
7 take a break.

8 What is funny, Melissa? What's funny.

9 MR. WEINSTEN: Just go ahead.

10 MR. ZAMBRANO: No. No. You have to stop
11 interrupting her. If you keep interrupting her, we are
12 going to take a break, I'm going to let you collect
13 yourself, we'll come back and we'll try it again.

14 MR. WEINSTEN: I don't need to collect myself.

15 MR. ZAMBRANO: Okay.

16 MR. WEINSTEN: I just need answers to
17 questions. Okay.

18 MR. ZAMBRANO: You --

19 MR. WEINSTEN: She's all over the map, which is
20 fine. This is good because when we bring the malicious
21 prosecution case, this will be Exhibit No. 1, but if she
22 is going to be all over the map, I have to stop her and
23 get her back on track, okay.

24 MR. ZAMBRANO: No. You're going to let her
25 finish and if you can't do that, we will walk and I will

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1 against you. And your calling me an asshole was very
2 offensive and inappropriate and I didn't say anything
3 other than I told you that the clerk wasn't going to
4 take your call and it would be an ex parte contact and
5 inappropriate.

6 MR. ZAMBRANO: You called me an idiot so at
7 least own it like I owned mine.

8 MR. WEINSTEN: I disagree.

9 MR. ZAMBRANO: Okay.

10 BY MR. WEINSTEN:

11 Q. Ms. Daniels, prior to the break you testified
12 that one of the reasons you know that you received the
13 WhatsApp that has been marked as Exhibit 2 prior to your
14 leaving is because at the time you left they removed you
15 from the group chat; is that correct?

16 A. That's not correct. I said that I'm not sure
17 when I received it, but I believed that that might help
18 indicate when I received it.

19 Q. Okay. But you did testify under oath that you
20 were removed from the group chat upon being terminated,
21 correct?

22 A. Yes. After being terminated I was removed from
23 the group chat.

24 Q. As you were being, the same day?

25 A. I'm not sure, but I'm sure we can pull it up

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1 and like have the exact time I was removed.

2 Q. In fact, according to Exhibit 2 you weren't
3 removed until March 13th; isn't that right?

4 A. I'm not sure, but I know that I was removed
5 after I was terminated.

6 Q. Well, just take a look at Exhibit 2 and then
7 confirm for me, if you look at the bottom, it says you
8 that were removed on March 13th.

9 Do you see that?

10 A. I do.

11 Q. So you were still on the group chat on March
12 11th when this was posted, correct?

13 A. I believe so.

14 Q. Okay. Now, we were --

15 Prior to the break we were talking -- you were
16 talking about a conversation that occurred on a bus on
17 the way to Amsterdam in which Ms. Nomura was involved
18 and there were potentially two other people on the -- in
19 the conversation talking about sex workers.

20 Do you recall that?

21 A. I'm not exactly sure how many. I said that it
22 was at least two, but I'm not -- I can't say exactly how
23 many people were part of the conversation.

24 Q. Okay. Do you know if any of those other
25 individuals in the conversation with Ms. Nomura were

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- 1 male?
- 2 A. Yes.
- 3 Q. How many?
- 4 A. I couldn't tell you an exact number.
- 5 Q. Were there more than one?
- 6 A. Probably.
- 7 Q. Okay. Who was --
- 8 A. But I can't tell you an exact number or a name.
- 9 Q. Okay. So you don't know a name or number.
- 10 How about were any of them female?
- 11 A. Yes.
- 12 Q. Okay. Can you tell me a name?
- 13 A. I cannot.
- 14 Q. Do you know --
- 15 Could you describe what that person looked
- 16 like?
- 17 A. I could not. A lot of conversations happened
- 18 on the bus, and if you are in one room, you could hear
- 19 it in another and people talked in and out of rooms, so
- 20 I wasn't sitting there taking note of who exactly was in
- 21 the conversation.
- 22 Q. Could you --
- 23 Could you describe what the male looked like
- 24 who was in this conversation?
- 25 A. No, I could not.

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1 Q. Okay. So just to be clear, sitting here today
2 you recall a conversation that occurred two years ago,
3 you don't know who was on the conversation, you don't
4 know what they looked like, and you don't know their
5 names; is that correct?

6 A. I know that they were people that were on our
7 bus.

8 Q. Okay. And what did you hear --

9 By the way, how long did that conversation take
10 place?

11 A. I don't have an exact time. It was just part
12 of the morning conversation.

13 Q. Just an estimate is fine.

14 A. I would have to estimate probably about ten
15 minutes, but I can't give an exact time.

16 Q. Okay. So during this ten-minute conversation
17 what did Ms. Nomura say about sex workers, if anything?

18 A. I cannot say exactly who said what, but I can
19 tell you what was said in the conversation.

20 Q. What was said during the conversation?

21 A. People were joking about hiring sex workers,
22 going to sex clubs, doing hard drugs.

23 Q. Okay. Just to be clear, doing hard drugs,
24 hiring sex workers and what was the other one?

25 A. Going to sex clubs.

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1 Q. Where did that conversation take place on the
2 bus?

3 A. On the back of the bus.

4 Q. Okay.

5 A. But like I said, conversations can go in and
6 out of rooms so I can't say it was only contained to the
7 back of the bus.

8 Q. I'm only talking about the one that you are
9 suing my client over, and what I would like to know --

10 So it is in the back of the bus. Describe the
11 bus for me. When you walk --

12 Are there more than one entry into the bus?

13 A. I believe so but don't quote me on it. I
14 always went in and out of the same door that most of us
15 used.

16 Q. Was that front of the bus, middle of the bus or
17 the back of the bus?

18 A. I believe it was the middle of the bus.

19 Q. Okay. When you walk in through the middle of
20 the bus, what do you see when you walk in?

21 A. So stairs lead you up. To the right there is
22 like, I guess you could call it the kitchen area. Up a
23 couple more stairs I believe is a more living room area
24 but it's open so there is no wall separating the two.
25 To the left there are bunk beds, and there is either one

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1 or two rooms of bunk beds, I can't recall. And then
2 there is a back room where people could have
3 conversations as well or hang out.

4 Q. Is this back room, is this like a living room
5 kind of situation?

6 A. You could call it that. There were places to
7 sit, we kept our luggage there.

8 Q. How many seats were back there?

9 A. I couldn't tell you.

10 Q. How many people could it accommodate
11 comfortably?

12 A. I couldn't tell you because honestly I felt
13 like there were too many people on the bus, but it's --
14 You know, there is definitely room for five people,
15 probably more.

16 Q. Okay. And when this conversation occurred that
17 you overheard, where were you sitting at that time or --
18 were you sitting or standing?

19 A. I was probably moving. I was probably in
20 motion but I can't tell you exactly. Like I said, the
21 conversation kind of goes in and out of different rooms.

22 Q. When you say "probably in motion," were you
23 walking to the back of the bus or to the front of the
24 bus?

25 A. I'm not exactly sure.

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1 Q. Okay. So you didn't hear the whole
2 conversation of ten minutes because you were moving
3 around; is that right?

4 A. That is correct.

5 Q. So how much of the ten-minute conversation did
6 you hear?

7 A. I heard enough of the conversation to hear
8 people joking and saying that they were going to hire
9 sex workers, go to sex clubs and hire people to get them
10 drugs.

11 Q. And when you heard this, this offended you?

12 A. Yes.

13 Q. Did you walk away when you heard it because you
14 were so offended?

15 A. Honestly I won't say that -- I don't think
16 offended is the correct word. It made me feel unsafe.
17 And conversations like that regularly happened. It's
18 not something that you can walk away from because on
19 tour there is really nowhere to go for privacy.

20 Q. Okay. But in this case you talked about a bus
21 that has multiple places where you could be. When you
22 walked back and you heard this conversation going on
23 that made you feel unsafe, did you immediately walk away
24 from the conversation so you wouldn't have to hear it
25 anymore?

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1 A. I couldn't tell you exactly what I did.

2 Q. Could you tell me anything that you did?

3 A. I listened to it and was offended by it and
4 felt unsafe because of it.

5 Q. At what point --

6 How much of the conversation did you hear
7 before you decided to walk away so you didn't have to
8 hear it anymore?

9 A. I'm not saying that I walked away so I didn't
10 have to hear it anymore. I'm saying I was probably in
11 motion and conversations like that weren't something you
12 could get away from necessarily.

13 Q. When you say "probably in motion," you don't
14 have an actual memory of any of this, do you?

15 A. I do have a memory of what was said in the
16 conversation --

17 Q. Okay.

18 A. -- but I don't have a memory of what I was
19 actually doing.

20 Q. Okay. Tell me what you heard --

21 What do you recall was said in the
22 conversation?

23 A. I believe I already answered this question, but
24 people were joking and talking about their plans to hire
25 sex workers, to go to sex clubs and to do drugs.

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1 Q. Okay. Let's talk about the hiring of sex
2 workers. Who said --

3 Who made a joke about hiring sex workers?

4 A. I've already told you I don't know the names of
5 the people that had this conversation necessarily.

6 Q. Okay. Do you know anybody at all as part of
7 that conversation who joked about hiring sex workers?

8 A. Amanda was part of the conversation but that's
9 not something that she explicitly said she was going to
10 do.

11 Q. What did Amanda say? Tell me everything that
12 you recall Amanda saying during this conversation.

13 A. I believe that this is the conversation that
14 also included her talking about not being able to locate
15 her medication and saying that she would kill a bitch if
16 someone took her medication.

17 Q. Okay. Other than that she would kill a bitch
18 if someone took her medication, what -- what did you
19 hear Ms. Nomura say in this conversation?

20 A. That was what stood out to me the most.

21 Q. Okay. So just to be clear as far as Ms. Nomura
22 is concerned the only thing you can recall sitting here
23 today that she said in that conversation two years ago
24 in the back of the bus while you were moving around is
25 that she would kill a bitch if someone took her

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1 medication; that's your testimony?

2 A. Yes, to the best of my memory.

3 Q. Okay. So you have no recollection of her
4 reacting to anybody else talking about sex workers,
5 correct?

6 A. I do. She thought it was funny.

7 Q. How do you know she thought it was funny?

8 A. Because she laughed.

9 Q. Okay. So you do recall something else she did,
10 she laughed?

11 A. I do. I just said that.

12 Q. Okay. What was she laughing to? What did
13 somebody say, one of these unknown, anonymous people
14 that you can't remember what they looked like or can't
15 even describe them, what did this anonymous person say
16 that made Nomura laugh?

17 A. Not only Nomura but the -- people on the bus
18 were all laughing at this, so it wasn't just her who
19 thought it was funny or who were, like, excited about
20 making these plans.

21 Q. The question is who -- what was said about sex
22 workers specifically that you say Ms. Nomura laughed at?

23 A. To my memory she laughed throughout the entire
24 conversation.

25 Q. The question is what was said about sex workers

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1 that caused Ms. Nomura to laugh?

2 A. Like I said already people were talking about
3 hiring sex workers, going to sex clubs and doing drugs,
4 and she thought everything in that conversation was
5 funny. To the best of like what I saw body language
6 from her she thought that -- that was normal to her.

7 Q. Okay. What was said --

8 What specifically was said about hiring sex
9 workers? What were the words or give me your best
10 estimate of what was said about hiring sex workers?

11 A. I can't give you a direct quote, but some of
12 the men on the bus were talking about their plans to
13 hire a sex worker.

14 Q. In the back --

15 A. Correct.

16 Q. -- during that conversation?

17 Okay. Before you said there were some women
18 there. So the women didn't talk about hiring sex
19 workers, just the men?

20 MR. ZAMBRANO: I'm just asking you to slow
21 down. Let him finish his --

22 THE WITNESS: Sorry.

23 MR. ZAMBRANO: Go ahead.

24 BY MR. WEINSTEN:

25 Q. Just to be clear, in the back of the bus it was

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1 the men that were going to hire the sex workers; is that
2 right?

3 A. Definitely the men.

4 Q. Okay. And how many men were back there?

5 A. As I said before, I don't recall how many.

6 Q. So how do you know it's not just one?

7 A. When you hear a conversation that you're not
8 really a part of and you are not partaking in, it's not
9 like you're looking at who is saying what exactly and
10 then writing it down in a journal to remember exactly
11 who said what.

12 Q. I understand. But you just testified under
13 oath that it was the men. "Men" assumes there is more
14 than one. And before you testified you didn't know that
15 there was more than one. So which is it?

16 A. Like I said, I can't tell you how many people
17 were in the conversation, but there was definitely men
18 in the conversation and there were women in the
19 conversation.

20 Q. So how many people? So you have --

21 Now, we're talking about if you have men,
22 that's more than one and women, that means more than
23 one, so there had to at least be four people in this
24 conversation; is that right?

25 A. I already told you I can't give you an exact

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1 number.

2 Q. Okay. Have you now told me everything you can
3 recall about a discussion about hiring sex workers?

4 A. To the best of my memory.

5 Q. Okay. So you don't recall if this was a --

6 By the way, did anyone actually go ahead and
7 hire a sex worker to your knowledge?

8 A. I would not know because I was not part of that
9 and I would never be part of that so I don't know.

10 Q. Okay. Now you also said that -- that they were
11 joking about doing hard drugs.

12 Did you say buying hard drugs or doing hard
13 drugs?

14 A. Both.

15 Q. Okay. To your knowledge did anybody actually
16 have any hard drugs on the tour?

17 A. That was common knowledge backstage that a lot
18 of the people in production did drugs.

19 Q. Okay. What kind of drugs --

20 By the way, what was specifically said about
21 doing hard drugs?

22 A. I can't tell you specifically who said what,
23 but that was part of the conversation. They were saying
24 that last time they were in Amsterdam, I believe, that
25 they had a person that they got drugs off of, people

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1 were sharing, like, I'll give you my connect of this
2 person who sold me these drugs so you can get some too.

3 Q. Okay. Did Ms. Nomura say any of that?

4 A. She was definitely talking about doing drugs in
5 Amsterdam.

6 Q. Okay. Do you understand that Ms. Nomura
7 doesn't do drugs and hasn't done drugs? Did you know
8 that?

9 A. To my knowledge she does do drugs.

10 Q. Okay. What drugs does she do?

11 A. I'm someone that is -- I've never done drugs
12 and I'm not part of that culture so I could not tell you
13 what drugs she does but I know she does illegal drugs.

14 Q. You just said under oath you know she does
15 illegal drugs.

16 A. Yes.

17 Q. You have personal knowledge of this?

18 A. Yes.

19 Q. What illegal --

20 A. I've heard her say it.

21 Q. What illegal drugs does Ms. Nomura do?

22 A. I couldn't tell you the specifics because I'm
23 not someone that deals in drugs or has knowledge of what
24 drugs are what.

25 Q. What words did Ms. Nomura say to you or in

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1 front of you to suggest that she does illegal drugs?

2 A. She was part of the conversation that I was not
3 directly involved in but heard, and she said that she
4 was definitely going to do drugs in Amsterdam.

5 Q. She just said I'm going to do drugs, she didn't
6 say --

7 A. I can't --

8 Q. -- what kind of drugs?

9 A. I'm sorry. I can't give you a direct quote of
10 what she said.

11 Q. I don't need a quote. I just need an estimate.

12 A. I told you that already, then.

13 Q. By the way, earlier you testified that the only
14 thing you remember Ms. Nomura saying in that
15 conversation is that she would kill a bitch if someone
16 took her medication. Wasn't that your testimony?

17 MR. ZAMBRANO: Misstates --

18 THE WITNESS: She also --

19 MR. ZAMBRANO: Hold on. Misstates prior
20 testimony.

21 Please answer the question.

22 BY MR. WEINSTEN:

23 Q. That was your testimony, the only thing you
24 could recall. Now your testimony is that you recall her
25 saying that she was going to do drugs; is that your

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1 testimony now?

2 MR. ZAMBRANO: Misstates evidence, misstates

3 testimony.

4 Please answer the question.

5 BY MR. WEINSTEN:

6 Q. Is that your testimony now?

7 MR. ZAMBRANO: Same objections.

8 Please answer the question.

9 THE WITNESS: She said both of those things.

10 BY MR. WEINSTEN:

11 Q. Okay. By the way, before we go on to the next
12 thing, are you going to tell me you now remember
13 something else that she said?

14 A. To be quite honest with you --

15 MR. ZAMBRANO: Hold on. That is vague and
16 ambiguous and incomplete.

17 BY MR. WEINSTEN:

18 Q. You can answer.

19 MR. ZAMBRANO: Hold on.

20 To the extent that you understand that, please
21 answer it.

22 THE WITNESS: Okay. I'm sorry. Can you say
23 the question again.

24 BY MR. WEINSTEN:

25 Q. Let's go back to the drugs.

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1 Tell me to the best of your recollection what
2 you heard Ms. Nomura say with respect to buying drugs in
3 Amsterdam.

4 A. That she planned on doing drugs.

5 Q. And what did she --

6 What else did she say about her plans for doing
7 drugs?

8 A. That's all I can give you as far as my memory
9 goes is that she planned on doing drugs.

10 Q. Do you know if she ever did any drugs?

11 A. I don't know.

12 Q. By the way, what medications was Ms. Nomura on?

13 A. You would have to ask her that. I don't know.

14 Q. Okay. Because she testified under --

15 By the way, did you see her testimony?

16 A. Yes, I did.

17 Q. Okay. You heard her testify she wasn't on any
18 medications; isn't that right? Do you recall that
19 testimony?

20 A. I don't recall what she said in regards to if
21 she was on medication or not.

22 Q. But your testimony is that she had -- she would
23 cut a bitch if she couldn't find her meds; is that
24 right?

25 A. That is correct.

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1 Q. But sitting here today you have no idea if she
2 was using medication or not?

3 A. I believe that she was because she said that.

4 Q. Okay. What medication was she using?

5 A. I could only speculate, and I believe she was
6 referring to mood stabilizers.

7 Q. Okay. You talked about --

8 You have now told me everything that you recall
9 from the conversation about sex workers, correct?

10 A. Yes. Everything that I can recall right now.

11 Q. Okay. Can you recall anything about the doing
12 of the hard drugs? Do you recall any of that?

13 A. What I have already told you.

14 Q. Okay. Now you said there was talk about going
15 to sex clubs.

16 Who was talking about going to sex clubs?

17 A. This was a conversation among the entire bus.

18 Q. Okay. So now we're out of the back of the bus.
19 So the back of the bus, just to be clear, that
20 ten-minute conversation we have been talking about that
21 was only about doing hard drugs and hiring sex workers;
22 is that correct?

23 MR. ZAMBRANO: Misstates prior testimony.

24 Please answer the question.

25 BY MR. WEINSTEN:

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1 Q. You can answer.

2 A. Can you ask the question again.

3 Q. I just want to make sure that I have your
4 testimony correct. You testified in the back of the bus
5 you were talking -- that they were talking about sex
6 workers and doing hard drugs. Were they also talking
7 about in the back of the bus going to sex clubs?

8 A. So, once again, the layout of the bus -- These
9 conversations were fluid, so I don't want to testify
10 that this only occurred in the back of the bus because
11 conversations would happen in and out of all of the
12 rooms.

13 Q. We are going to get to other parts of the bus
14 but you testified about a specific conversation for ten
15 minutes in the back of the bus where there were at least
16 three people, one of which was Ms. Nomura, that is the
17 one that I am focused on right now, and that is the one
18 that is in your complaint. So let's get to the sex
19 clubs.

20 MR. ZAMBRANO: Wait. Hold on. Misstates the
21 complaint. What's your question?

22 BY MR. WEINSTEN:

23 Q. In the back of the bus was there -- in that
24 ten-minute conversation did anyone discuss going to sex
25 clubs, yes or no?

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1 A. Yes.

2 Q. And you know that for a fact, correct?

3 A. Yes.

4 Q. What was said about going to sex clubs and by
5 whom?

6 A. Once again, I can't tell you exactly who, but
7 people were talking about their plans to go to different
8 sex clubs.

9 Q. Okay. Did Ms. Nomura say she was going to go a
10 sex club?

11 A. I don't recall if she said if she was going to
12 or not.

13 Q. Okay. What was said about --

14 Give me all of the specifics you can recall
15 about talking about from the back of the bus going to
16 sex clubs.

17 A. That people planned to go to different sex
18 clubs. Names of sex clubs were named. I can't recall
19 exactly what they were.

20 Q. You don't remember any of the clubs' names?

21 A. No.

22 Q. Okay. Other than the con- -- ten-minute
23 conversation in the back of the bus on the way to
24 Amsterdam did you hear anyone else talking about on the
25 bus hiring sex workers in any other location of the bus?

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1 A. Yes. Like I said, this is conversation that
2 was fluid throughout the bus.

3 Q. Okay. Where else on the bus did you hear a
4 conversation about sex workers?

5 A. I'm saying the back room because that's where I
6 was when the main part of that conversation I heard, but
7 like I said, someone could be talking in the back of the
8 bus and then move through the area where people were in
9 beds and still be part of that conversation because
10 there weren't hard walls that were soundproof so people
11 could talk within different rooms.

12 Q. Well, where were --

13 So we have the ten-minute conversation in the
14 back of the bus. Tell me what other conversation did
15 you hear that wasn't in the back of the bus discussing
16 the hiring of sex workers?

17 A. It was all central to the back of the bus, but
18 like I said, people were part of the conversation that
19 weren't necessarily in the back of the bus.

20 Q. Okay. So someone was in the front of the bus
21 talking about sex workers?

22 A. Not the front but in the bunk bed area that's
23 directly next to it.

24 Q. Okay. Who was in the bunk bed area talking
25 about sex workers?

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1 A. I couldn't tell you the exact names.

2 Q. Was it one person? What it three people? Was
3 it ten people?

4 A. I couldn't tell you exactly.

5 Q. Can you give me an estimate?

6 A. A few people.

7 Q. Okay. So a few people in the bunk area --

8 Where were you when you heard people in the
9 bunk area talking about sex workers, where were you at
10 that time?

11 A. I was probably in the back of the bus, but like
12 I said, I was moving through different rooms.

13 Q. Probably or you were?

14 A. I started off in the back of the bus, but I
15 said I probably was moving through different rooms.

16 Q. And the people in the bed area were different
17 than the people in the back of the bus, correct?

18 A. People would move in between the two rooms.

19 Q. I understand. But we're talking about -- That
20 was the ten-minute conversation in the back of the bus.
21 Now we're talking about the bed rear, in the bunk bed
22 area. Who was -- Strike that.

23 What did you hear people say in the bunk bed
24 area of the bus?

25 A. So this is all part of the same conversation.

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1 I'm just telling you that it wasn't only in the back of
2 the bus.

3 Q. What did you hear people in the bunk bed area
4 talking about with respect to hiring sex workers?

5 A. They were are part of that same conversation
6 and what I have already told you.

7 Q. Okay. So just to be clear, sitting here today
8 you can't remember the specifics of any conversation
9 that occurred on that bus with regards to hiring sex
10 workers, doing hard drugs or going to sex clubs; is that
11 correct?

12 MR. ZAMBRANO: Misstates prior testimony,
13 misstates the evidence.

14 Please answer the question.

15 BY MR. WEINSTEN:

16 Q. You can answer.

17 A. I was not part of this conversation so I was
18 not trying to take notes on what sex clubs to go to or
19 oh, spell that. That was not part of -- Like -- So no
20 I...

21 Q. Okay. So the answer is -- I'm not asking why
22 you don't know. I'm asking you now because when we get
23 to trial I'm going to ask you the same questions, and
24 I'm hoping you are not going to come surprise me with
25 something new that we didn't hear. This is my

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1 opportunity to ask you questions. So I'm going to ask
2 it again and I just want a clean answer. Clean
3 question, clean answer.

4 Am I correct that sitting here today you cannot
5 recall the specifics of any conversation that occurred
6 on the bus on the way to Amsterdam where people were
7 joking about hiring sex workers, doing hard drugs or
8 going to sex clubs; is that correct?

9 MR. ZAMBRANO: Hold on. Misstates prior
10 testimony.

11 Please answer the question.

12 BY MR. WEINSTEN:

13 Q. You can answer.

14 A. I would consider the details I have given you
15 specifics.

16 Q. Okay. The details you gave me are you heard
17 people joking about hiring sex workers, correct?

18 A. That's one of the things that I said.

19 Q. And you don't remember any of the words or any
20 of the details of -- beyond what I have just said,
21 correct?

22 A. I cannot give you specifics of who they were
23 going to hire or what exact club they were going to
24 because it was not relevant to me.

25 Q. Or even what they said?

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1 A. I'm telling you what they said. I'm telling
2 you I don't feel comfortable giving you a direct quote
3 because it is not something that I wrote down so that I
4 could give you a direct quote.

5 Q. And the same could be said with respect to
6 doing hard drugs. All you remember is people saying
7 that they were going to buy drugs in Amsterdam; is that
8 right?

9 A. That people were going to buy drugs and do them
10 and some people had a connect of who they could buy
11 drugs from.

12 Q. And you don't know what drugs they were talking
13 about, whether it was marijuana, whether it was
14 something harder?

15 A. We're talking about things that are harder than
16 marijuana.

17 Q. How do you know if you don't remember what the
18 conversation was?

19 A. Because these are drugs that I -- you could say
20 it to me right now and tomorrow I wouldn't remember
21 because it's not relevant to me. I don't do drugs and I
22 never have.

23 Q. So how do you know they are talking about hard
24 drugs if you can't even remember the name of any drug
25 that anybody mentioned?

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1 A. I think that that is normal for someone that
2 doesn't do drugs to not latch on to an exact name of a
3 drug.

4 Q. Okay. And then the same with respect to going
5 to sex clubs, am I correct that the sum total of your
6 memory of being on the bus on the way to Amsterdam is
7 that people were talking about going to sex clubs but
8 you don't remember any of the details whatsoever of the
9 conversation besides people saying we're going to sex
10 clubs?

11 A. I did not write down any of the names of the
12 places they were talking about because it wasn't
13 relevant to me and I did not want to go to any sex
14 clubs.

15 Q. And, again, just to be clear, sitting here
16 today you don't recall the names of any of the people
17 having these conversations other than Ms. Nomura; is
18 that correct?

19 A. While I was on tour there were plenty of people
20 that I interacted with regularly that I did not know
21 their names.

22 Q. Okay. But I'm asking on the bus on the way to
23 Amsterdam with all of this talk about the drugs and the
24 sex workers and all of that, sitting here today you
25 can't tell me one -- the name of anybody other than

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1 Ms. Nomura that you saw or heard talking about buying
2 drugs, going to sex clubs and hiring sex workers,
3 correct?

4 A. I would not want to tell you a name and not
5 know for sure that that is that person's name because I
6 testified to be honest in this, and I honestly cannot
7 tell you the exact names of everybody that was on the
8 bus.

9 Q. Okay. You can't -- I'm not asking for
10 everybody on the bus. I'm asking can you tell me one
11 person other than Ms. Nomura that you heard specifically
12 talking about going to -- going to sex clubs, purchasing
13 drugs or hiring sex workers? Any -- One name other than
14 Ms. Nomura?

15 A. No. But I can tell you that there is a roster
16 of names that were on that bus, and they were people
17 that were assigned to that bus.

18 Q. And just to be clear, this is the bus that you
19 were sleeping on for the two weeks that you were on
20 tour, correct?

21 A. This is the same bus that I was sleeping on.

22 Q. Okay. And these are the people that were on
23 that bus that you were interacting with on a daily basis
24 and sleeping with, correct?

25 A. Not sleeping with, but I slept in the same

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1 quarters that they did.

2 Q. That's what I meant. I apologize if I

3 suggested something else. Okay.

4 Can you tell me -- describe any of the people

5 other than Ms. Nomura that were sitting on that bus

6 talking about drugs, purchasing sex workers or going to

7 sex clubs? Can you just describe one person on that bus

8 other than Ms. Nomura?

9 A. I wouldn't feel comfortable doing that because

10 I have sworn to be honest in this, and that is not

11 something that I can say this exact person said it. I

12 was not looking and taking notes of who said what

13 exactly. I know that these things were discussed.

14 Q. Okay. Can you tell me -- Describe --

15 Give me the name or describe anybody who was

16 laughing at these conversations about doing drugs,

17 hiring sex workers or going to sex clubs?

18 A. Amanda Nomura.

19 Q. Other than Ms. Nomura?

20 A. Once again, I would not feel comfortable

21 assigning it to an exact person, but this was the

22 conversation on the bus and it was an open conversation.

23 Q. Did you say anything at all at the time you

24 were hearing these conversations about drugs and sex

25 workers and going to sex clubs?

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1 A. I have already told you I was not part of this
2 conversation so no.

3 Q. Did you do anything to separate yourself from
4 the conversations?

5 A. The bus is such tight quarters there is nothing
6 you can do to separate yourself from this. There is
7 really no privacy that you can ever have.

8 Q. And just to be clear, we talked earlier about
9 the fact that you sent a whole bunch of texts to
10 Ms. Gugliotta telling her about things that you found
11 problematic, you never once said to Ms. Gugliotta that
12 people were buying drugs or talking about buying drugs,
13 hiring sex workers or going to sex clubs; isn't that
14 right?

15 A. To be quite frank, these are people that I
16 believed to be her friends, so no, I would not feel
17 comfortable telling her that.

18 Q. So the answer is you didn't tell her either
19 orally or in writing, correct?

20 A. That is correct.

21 Q. Okay. By the way, you did complain to
22 Ms. Gugliotta about other people that were her friends;
23 isn't that right?

24 A. I think now in hindsight I realize that Amanda
25 was her friend and I didn't necessarily know the -- I

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1 didn't know their relationship.

2 Q. Okay. Other than on the bus to Amsterdam and
3 what you have described, do you recall anything else
4 about anybody at any time discussing sex workers or
5 doing drugs or -- Actually, let's do one at a time.

6 Other than what you testified on the bus to
7 Amsterdam, do you recall anyone talking about hiring sex
8 workers other than what you have testified to so far?

9 A. I'm sorry. Can you repeat the question.

10 Q. Okay. Other than what you have testified to so
11 far on the bus to Amsterdam, do you have any
12 recollection of anyone else at any time discussing the
13 hiring of sex workers?

14 A. Yes.

15 Q. Okay. When was that?

16 A. So when we got to Amsterdam this was normal
17 conversation throughout the day in many different
18 spaces. It's just that this core memory for me it kind
19 of started in that back area of the bus when we were on
20 our way to Amsterdam. But this was like -- You work
21 with these people for such a long day like these
22 conversations reoccur so I won't say that that is the
23 only time I heard it. It was common conversation and it
24 was normal in that culture.

25 Q. Was it only in Amsterdam or was it in other

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1 cities as well?

2 A. People talked about doing drugs in other cities
3 but I couldn't tell you --

4 Q. Sex workers. We are only talking about sex
5 workers right now.

6 A. Hiring sex workers?

7 Q. Yes.

8 A. So no it --

9 Q. I'm sorry. Now you can't interrupt me or he's
10 going to walk out.

11 Am I correct --

12 Do you recall specifically with respect to
13 hiring sex workers --

14 Other than on the bus on the way to Amsterdam
15 do you recall anyone at any time discussing the hiring
16 of sex workers?

17 A. That is my main memory.

18 Q. Okay. Just on the bus?

19 A. Once again, these conversations happened
20 throughout the day in different places, but I feel most
21 comfortable talking about where I initially heard it.

22 Q. Okay. Well, let's talk about other than what
23 you have described on the bus, can you tell me any
24 person -- the name of any person who was discussing
25 hiring sex workers outside of the bus on the way to

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1 Amsterdam?

2 A. I can tell you there were people that worked
3 for Big Grrrl Big Touring, but I could not give you a
4 specific name.

5 Q. Can you tell me --

6 How many of them were there?

7 A. I couldn't tell you because these were not
8 people I considered friends and that I intentionally had
9 disgusting conversations like this with so no.

10 Q. Okay. How many --

11 Actually, let's do it this way: Can you
12 describe any of the people that you heard outside of the
13 bus talking about sex workers -- hiring sex workers?

14 A. I wouldn't feel comfortable doing that.

15 Q. Well, I don't care if you feel comfortable.
16 Can you?

17 A. I'm telling you that I won't because I don't
18 want to misrepresent what actually happened and I can
19 tell you these are people that were on tour with us.

20 Q. Okay. But you can't describe one of them; is
21 that correct?

22 A. I don't feel comfortable doing that.

23 Q. Can you tell me -- describe one conversation
24 that you heard that wasn't on the bus on the way to
25 Amsterdam where somebody was talking about hiring sex

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1 workers?

2 A. Can you say the question again.

3 Q. Can you tell me one conversation that you
4 recall where somebody was discussing hiring sex workers
5 outside of what you testified occurred on the bus on the
6 way to Amsterdam?

7 A. So like I said, this was common conversation.
8 I've overheard other conversations that happened
9 backstage and in other places, but my main memory and
10 what stands out the most is what happened on the bus.

11 Q. So the answer is you can't tell me one
12 conversation that you recall outside of the bus where
13 somebody was talking about hiring sex workers; is that
14 correct?

15 MR. ZAMBRANO: Misstates testimony.

16 Please answer the question.

17 THE WITNESS: I know that you are going to go
18 down this road of asking me to describe the person or
19 their name and I don't know and I cannot tell you that.
20 A lot of times when conversations are happening, if you
21 are not part of the conversation, you are not studying
22 the person or say, "Hey, can you give me your name.
23 That was interesting that you just said that." So I can
24 tell you that these things were absolutely said by
25 people who worked on the tour, but I do not feel

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1 comfortable telling you a name or a description because
2 I was not part of these conversations.

3 Q. Okay. But I'm asking you now -- I was not
4 asking you this time to describe who it was. I'm
5 asking: What was said?

6 A. What I'm saying to you is that I know that is
7 what you are going to ask me and I cannot do that.

8 Q. I know. Right now I'm asking you what was said
9 off the bus that -- where somebody discussed hiring sex
10 workers? What did whoever this anonymous person at this
11 time that you don't recall in the city you don't recall,
12 what did they say?

13 A. I do recall the city. It was Amsterdam. And I
14 do recall the people, I just don't feel comfortable
15 giving you specific names, but this was common
16 conversation so I would overhear conversations
17 backstage, in passing, they're conversations that I was
18 not directly a part of.

19 Q. Okay. Let's talk about this conversation that
20 you overheard backstage. This is backstage at
21 Amsterdam?

22 A. I believe so.

23 Q. What time of day did you overhear a
24 conversation about somebody hiring sex workers?

25 A. I don't feel comfortable giving you a time of

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1 day because I work such long hours and I was not
2 checking my phone. I was worried about doing my work.
3 But I know that these are conversations that I
4 overheard.

5 Q. Was it morning?

6 A. I couldn't tell you.

7 Q. Was it in the evening?

8 A. I wouldn't feel comfortable telling you exactly
9 what time of day but throughout the day.

10 Q. What were the words --

11 So you heard this more than once -- people
12 backstage talking about hiring sex workers in Amsterdam;
13 is that correct?

14 A. I'm sorry. Can you say the question again.

15 Q. Your testimony as I understand it now is that
16 more than one time you overheard people talking
17 backstage about hiring sex workers; is that right?

18 A. That is correct.

19 Q. Okay. Who?

20 A. Once again, I can't tell you specifics because
21 I was not part of that conversation.

22 Q. Where were you when these conversations were
23 going on?

24 A. Once again, I was not part of these
25 conversations so I could not tell you exactly where I

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1 was.

2 Q. Okay. Other than with respect to the hiring of
3 sex workers have you now told me all that you can
4 remember about conversations people had with respect to
5 hiring sex workers?

6 A. In this moment I have told you everything to
7 the best of my recollection of what stands out as
8 relevant.

9 Q. Okay. Now, as far as going to --

10 Now, did anyone ever ask you to join any
11 activities such as going to a sex club? I think you
12 testified earlier you weren't invited to Bananenbar.
13 Did anybody at any time ever invite you to go to a sex
14 club?

15 A. I was invited to go to a place -- I could not
16 tell you the name -- and I declined because I did not
17 want to be involved at all in any of, like, the
18 debauchery.

19 Q. Where was this?

20 A. I cannot recall.

21 Q. You don't recall what city?

22 A. I believe it was Amsterdam, but I can't tell
23 you specifically where I was. Like it is such a massive
24 backstage it would be impossible for me to tell you
25 exactly where I was.

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1 Q. Okay. Who invited you to go?

2 A. I don't know the name of this group of people,
3 but it was part of -- I want to say they were part of
4 production but I -- I wouldn't feel comfortable saying
5 that for sure.

6 Q. How were you invited? Was it orally or in
7 writing?

8 A. Orally.

9 Q. Okay. And what time of day was it that you
10 were invited?

11 A. I couldn't tell you.

12 Q. Do you know if it was on the day off or the day
13 of the -- of the performance?

14 A. It wouldn't have been the day of, so it must
15 have been the day off, but I can't exactly remember what
16 day it was.

17 Q. Okay. Tell me everything you recall about
18 being invited to go --

19 By the way, was this a sex club or a bar or
20 what were you invited to do?

21 A. I'm not exactly sure what the name of it was
22 and what it was, but I knew it was in the red-light
23 district.

24 Q. Okay. So you were invited to go to a place in
25 the red-light district; is that right?

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1 A. That is correct.

2 Q. So then it would be Amsterdam; isn't that
3 right?

4 A. Yeah. Which is what I said.

5 Q. I think you originally said you weren't sure.
6 But now you are sure. That's good.

7 A. I said I was invited --

8 Q. So you were invited to go to the red-light
9 district in Amsterdam. Do you know what place you were
10 invited to go to?

11 A. I have already testified that I do not.

12 Q. Okay. Could it have been a bar?

13 A. I don't know because I did not want to go to
14 the red-light district and participate in these things.

15 Q. Okay. But you don't --

16 Sitting here today did anybody tell you where
17 they were going at the time?

18 A. People talked about where they were going, but
19 once again, it wasn't relevant to me because I did not
20 plan on going.

21 Q. No. No. Let's just be clear here,
22 Ms. Daniels. You testified under oath you were asked to
23 go somewhere in the red-light district and you turned it
24 down and this was by a group of people; is that correct?

25 A. That is correct.

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1 Q. Okay. And you don't know who any of those
2 people are, correct?

3 A. I can't give you an exact name.

4 Q. And you don't know what any of those people
5 looked like, correct?

6 A. I would not feel comfortable giving you a
7 description of what they looked like because I cannot
8 tell you their names. I know that they work for the
9 touring company.

10 Q. I'm not asking you for their name. I'm asking
11 you what they looked like?

12 A. I could not tell you.

13 Q. Okay. And you don't know how many people
14 invited you?

15 A. I was in a room and it was like the
16 conversation, so I wouldn't feel comfortable saying how
17 many people or who exactly.

18 Q. Okay. And you said you were in a room. Where
19 was the room?

20 A. Backstage.

21 Q. I'm sorry. It was backstage?

22 A. Yeah.

23 Q. And what did the --

24 What was the invitation? Tell me everything
25 you recall about the invitation?

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1 A. You should go with us to this place, which I
2 cannot recall the name of the place. And I said that
3 I -- thank you but no.

4 Q. So if you don't recall the place, how do you
5 know it was in the red-light district?

6 A. Because that was part of the conversation.
7 Everybody was making plans to go to the red-light
8 district.

9 Q. Okay. And sitting here today you don't know if
10 it was a bar, if it was a -- it could have been
11 anything?

12 A. Something in the red-light district.

13 Q. Okay. And you turned them down, correct?

14 A. That is correct.

15 Q. Is that the only time on the tour that you were
16 invited to go someplace where you turned them down?

17 A. To the best of my memory I believe so.

18 Q. Okay. How did --

19 A. Actually --

20 Q. -- you avoid --

21 A. -- I'm sorry. I was invited somewhere else.

22 This isn't relevant to the red-light district and I
23 didn't -- in fact, several places. I think the girls
24 went to Disney World and they invited me and I didn't
25 go. And there was also Shirlene Quigley invited me to a

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1 skating party that I did not go to.

2 Q. Okay. That is not part of your complaint,
3 though, correct?

4 A. No.

5 Q. Okay. And you --

6 How did you avoid going to this place in the
7 red-light district?

8 A. I had a visitor coming so that was kind of
9 my -- I don't want to say excuse, but that was the
10 reason that I could not.

11 Q. So you told them that you were going out with a
12 friend or something like that?

13 A. A guy that I was dating at the time.

14 Q. Okay. In your complaint at paragraph 46 -- I
15 will just read into the record -- you say:

16 "As another example of this, when the
17 tour got to Amsterdam, Plaintiff
18 witnessed Nomura, crew, and Lizzo's
19 management openly discussing hiring sex
20 workers for lewd sex acts, attending
21 sex shows, and buying hard drugs."

22 And then you go on to say:

23 "Plaintiff felt pressured to join such
24 activities and found a way to secure
25 one of her few days off to escape."

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1 Do you see that?

2 A. I don't see it. But that is correct.

3 MR. ZAMBRANO: Hold on. It's this complaint.

4 Go to -- It's this one, right? Mike, it's this one?

5 MR. WEINSTEN: It's the complaint.

6 MR. ZAMBRANO: All right. 46.

7 BY MR. WEINSTEN:

8 Q. You say here that you felt pressure to join
9 such activities and found a way to secure one of your
10 few days off to escape.

11 What day did you take off?

12 A. It was the day that everybody had off when we
13 were in Amsterdam.

14 Q. Okay. So, in fact, that day off was the day
15 you arrived; isn't that right?

16 A. I believe so.

17 Q. So it wasn't -- So what you're test- --

18 So by your own testimony, then, if it happened
19 backstage in Amsterdam that you were invited to go to
20 the red-light district, you already had a day off; isn't
21 that right?

22 MR. ZAMBRANO: Vague and ambiguous as asked.

23 Please answer the question.

24 BY MR. WEINSTEN:

25 Q. What do you mean when you say in order to

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1 avoid --

2 By the way, you are referring here when you
3 said you found a way to secure one of your few days off
4 to escape, you're talking about your invitation to the
5 red-light district, correct?

6 A. Yes.

7 Q. Okay. So my question, then, is: How did --
8 How did --

9 You just testified a minute ago the way you
10 escaped was you said you were going out with your
11 boyfriend. So what did you mean when you stated in your
12 complaint that you -- to avoid going to the red-light
13 district you found -- you found a way to secure one of
14 your few days off to escape?

15 A. I'm not sure I understand the question.

16 Q. I'm asking you what did you mean --

17 By the way, you said this under oath too.
18 Under paragraph -- In your complaint to the EEOC --

19 MR. ZAMBRANO: Can we take a bathroom break
20 soon.

21 MR. WEINSTEN: We're going to finish this
22 question first.

23 MR. ZAMBRANO: Yeah.

24 BY MR. WEINSTEN:

25 Q. You said under oath to the EEOC that you felt

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1 pressure to join such activities and found a way to
2 secure one of your few days off to escape.

3 Do you recall that testimony?

4 A. Yes.

5 Q. Okay. And, again, you're talking about
6 avoiding going to the red-light district when you got
7 that invitation, correct?

8 A. Yes. But there were other things that I didn't
9 want to go to also so I don't want to say that that is
10 specific only to that instance.

11 Q. Okay. So my question is: You said you found a
12 way to secure one of your few days off. You didn't do
13 anything to go get a day off; isn't that right? You
14 were already off.

15 A. So what I'm actually talking about is, like I
16 said, we had few days off and I wasn't even entitled to
17 my off days. A lot of times when there was an off day,
18 Amanda would try to rope me in to doing something to --
19 to do extra work so when I say that I mean a lot of days
20 that I was supposed to have off it was kind of in limbo
21 whether I actually would with everyone else or not.

22 Q. But this statement is not true. You just
23 testified that in order to get out of going to the
24 red-light district with those people that invited you,
25 you just told them that you had a -- you were going out

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1 with your boyfriend. You didn't go secure a day off.

2 That's not true, is it, Ms. Daniels?

3 A. What I mean by secure a day off is that I did

4 not want to feel like they were entitled to my time on

5 my day off. So I think you're looking at it as I, like,

6 got a day off that nobody else got. That's not what

7 this says.

8 Q. That's not what I'm talking about. What I'm

9 talking about is your false testimony to the EEOC under

10 penalty of perjury where you told the EEOC that in order

11 to avoid going on this invitation to the red-light

12 district, you found a way to get a day off so you didn't

13 have to go to the red-light district. That's what you

14 were telling them; isn't that right?

15 MR. ZAMBRANO: Misstates testimony, misstates

16 the document.

17 Please answer the question.

18 BY MR. WEINSTEN:

19 Q. You can answer.

20 A. Yes, it is misrepresenting what I'm saying.

21 You are misrepresenting or misunderstanding what I am

22 saying.

23 Q. I'm only saying what you said --

24 MR. ZAMBRANO: Hold on.

25 BY MR. WEINSTEN:

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1 BY MR. WEINSTEN:

2 Q. Okay. I am going to ask again that you do it.
3 Is the answer you don't have it or you didn't
4 even check?

5 A. I'm not sure.

6 Q. You're not sure if you checked?

7 A. No. I'm not sure if I have it --

8 Q. Well, did you destroy it --

9 A. -- but no, I did not --

10 Q. -- after the case was --

11 A. No. That's why we have screen shots.

12 Q. Okay.

13 MR. ZAMBRANO: We will do it over lunch. We'll
14 figure it out.

15 MR. WEINSTEN: Okay. Fine.

16 Q. Ms. Daniels, have you now told me all of the
17 instances in which you believe you were subjected to a
18 hostile work environment based on sex?

19 MR. ZAMBRANO: Vague and ambiguous as asked.

20 Please answer the question.

21 BY MR. WEINSTEN:

22 Q. You can answer.

23 A. What do you mean by "based on sex"?

24 Q. Well, you sued my client for sexual harassment/
25 hostile work environment. You testified that you heard

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1 people talking about sex workers on a bus and possibly
2 even off the bus, you talked about being invited to a --
3 the red-light district in Amsterdam, and you said
4 Bananenbar was not part of this and then -- I think
5 that -- Yeah, I think that was it.

6 Is there anything else that you haven't told us
7 so far that -- Oh, I'm sorry. And you also testified
8 about receiving the WhatsApp message and what was --
9 having seen the images that are in the content -- in the
10 content of the WhatsApp message.

11 Other than those things is there anything else
12 you believe created a hostile work environment for you
13 based on sex, like sexual harassment?

14 A. To the best of my memory right now that covers
15 everything.

16 Q. Okay. And I think you already testified but
17 let me just ask it one more time to be clear.

18 You never complained to Ms. Gugliotta about
19 sexual harassment in the workplace, correct?

20 A. I didn't because the people that I would have
21 to complain to her about I believed to be her friends.

22 Q. Okay. And you didn't complain to anybody else
23 other than Ms. Gugliotta about sexual harassment in the
24 workplace; isn't that right?

25 A. This is probably something I talked about with

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1 my sister, but as far as people who work for Big Grrrl

2 Big Touring, yes.

3 Q. Okay. And you never discussed sexual

4 harassment --

5 Putting aside the people at Big Grrrl Big

6 Touring you never -- and possibly your sister, you never

7 discussed sexual harassment on the tour with anybody at

8 all, correct?

9 MR. ZAMBRANO: Vague and ambiguous as asked.

10 Please answer the question.

11 THE WITNESS: Are you asking did I discuss it

12 with anyone who worked for the tour?

13 BY MR. WEINSTEN:

14 Q. Anybody who is not in management. You never

15 discussed feeling that you were in a -- feeling that

16 there was sexual harassment with anybody during the

17 tour, correct?

18 A. Not that I can recall.

19 Q. In fact, all of your complaints that you voiced

20 during the tour to anybody within the tour were all

21 about Nomura and her alleged bullying; isn't that right?

22 MR. ZAMBRANO: Misstates evidence.

23 Please answer the question.

24 THE WITNESS: Can you ask the question one more

25 time?

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1 BY MR. WEINSTEN:

2 Q. Am I correct that all of the complaints you
3 voiced to anybody on the tour were all about Nomura and
4 her alleged bullying of you, correct?

5 MR. ZAMBRANO: Same objections.

6 Please answer.

7 THE WITNESS: That was not all I complained
8 about.

9 BY MR. WEINSTEN:

10 Q. I'm sorry?

11 A. That was not all I complained about.

12 Q. Okay. You're saying you complained about other
13 things besides Nomura and her alleged bullying and abuse
14 of you, correct? That's what your testimony is now?

15 A. That is correct and it always has been.

16 Q. Okay. And nothing has ever --

17 You never put any of your complaints in writing
18 that didn't involve Nomura and her alleged abuse of you,
19 correct?

20 A. That is not correct.

21 Q. Okay. What in writing, because you produced or
22 I believe your counsel has produced all of your texts
23 and WhatsApps, et cetera, in the case, what other
24 complaints did you make in writing that did not involve
25 Nomura and her alleged bullying of you?

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1 A. I can't swear if I have documentation of me
2 putting it in writing, but I know that we have evidence
3 that it was something that was talked about but I
4 complained that the dancers didn't have enough mirrors
5 once. I would have to go, like, through the
6 documentation to give you every other complaint but it
7 wasn't just about Amanda.

8 Q. Okay. But that has nothing to do with --
9 You're not complaining --

10 You're not suing my client because the dancers
11 didn't have enough mirrors --

12 A. No.

13 Q. -- are you?

14 A. No.

15 Q. Okay. So as far as the things that you are
16 suing my client over am I correct that the only things
17 that you're suing my client over about which you were
18 complaining during the tour were all about Nomura and
19 her alleged bullying; is that right?

20 MR. ZAMBRANO: Hold on. Misstates the
21 evidence.

22 Please answer the question.

23 THE WITNESS: So no, that is not everything
24 that this lawsuit is about.

25 BY MR. WEINSTEN:

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1 Q. Okay. No, I get that. I get that you're --
2 the lawsuit is bigger. What I am talking about is --
3 Let me back up.

4 Let me just do it this way: During the tour
5 you said you made -- we know that you made certain
6 complaints to Ms. Gugliotta in writing, correct?

7 A. Yes. Correct.

8 Q. And those are all the complaints that you made
9 to Ms. Gugliotta, correct?

10 A. I don't think that would be fair to say correct
11 because I also had conversations with her in person --

12 Q. Okay.

13 A. -- that I'm sure was outside of the scope of
14 what exactly was in the texts.

15 Q. Okay. Other than Ms. Gugliotta did you
16 complain to anybody else about problems you were having
17 on the tour?

18 A. Yes.

19 Q. Okay. Who else?

20 A. I talked about it with a lot of people because
21 there was a certain point on tour that it became obvious
22 that I was being bullied, and so there were people like
23 in production, people who worked backstage, some of the
24 dancers who -- like it became, like, common knowledge
25 and people would ask me about it and I was forthcoming

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1 when they asked me about it.

2 Q. Okay. You believe --

3 Did you believe that you fulfilled your job
4 duties during the two weeks you were on the tour?

5 A. I fulfilled my job duties and so much more,
6 yes.

7 Q. Okay. Do you think you did a good job?

8 A. I know that I did a good job.

9 Q. And nothing stopped you from doing a good job?

10 A. There was a lot that could have stopped me from
11 doing a good job but I rose to the occasion.

12 Q. Okay. So nothing to your knowledge prevented
13 you from doing this good job that you did over the two
14 weeks, correct?

15 A. There was a lot that could have prevented me
16 but I did a good job.

17 Q. Okay. That's not the question. The question
18 is really simple, and I am going to ask you to listen to
19 the question and answer only the question asked because
20 if we were in court the judge is going to make you
21 answer the question.

22 The question is: Nothing did, in fact, stop
23 you from doing a good job during those weeks of your
24 employment, correct?

25 A. That's a confusing question. Can you say it in

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1 a different way?

2 Q. What is confusing about it?

3 MR. ZAMBRANO: Wait. Hold on. Argumentative.

4 Please answer.

5 MR. WEINSTEN: No.

6 Q. You said something is confusing. What part of
7 my --

8 Could you -- I'm going to ask the court
9 reporter --

10 MR. ZAMBRANO: She also asked you to say it a
11 different way.

12 MR. WEINSTEN: Can you not interrupt. You made
13 this whole big deal about people interrupting.

14 MR. ZAMBRANO: I did.

15 MR. WEINSTEN: I'm going to ask the court
16 reporter to read the question back, and then my question
17 to you, Ms. Daniels, is: Tell me what is confusing
18 about that sentence. Whether it's a word or whatever it
19 is that you're having a problem with, just let me know.

20 (Record read as follows:

21 "Question: So nothing to your

22 knowledge prevented you from doing this

23 good job that you did over the two

24 weeks, correct?")

25 THE WITNESS: So that question is confusing to

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1 me because it feels like you're implying that if I did a
2 good job there was nothing that was a detriment to me
3 doing a good job, and there were a lot of things that
4 should have stopped me from doing a good job but I went
5 above and beyond to do a good job.

6 BY MR. WEINSTEN:

7 Q. So the answer is nothing stopped you from doing
8 a good job; isn't that right?

9 A. I think that's up to who you ask that question
10 to.

11 Q. I asked it of you.

12 A. Yes.

13 Q. You're the only person I'm talking to here.

14 MR. ZAMBRANO: Hold on.

15 BY MR. WEINSTEN:

16 Q. Did you --

17 Did you do a good job through the whole time,
18 yes or no?

19 MR. ZAMBRANO: Vague and ambiguous, misstates
20 evidence.

21 Please answer the question.

22 THE WITNESS: Yes, I did a good job.

23 BY MR. WEINSTEN:

24 Q. Okay. And so nothing stopped you from doing a
25 good job because you were doing a good job. Doesn't

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1 that make sense, Ms. Daniels?

2 MR. ZAMBRANO: Same objections.

3 Please answer the question.

4 THE WITNESS: It feels unfair to say nothing
5 stopped me because a lot of things got in my way, so I
6 don't feel comfortable saying that.

7 BY MR. WEINSTEN:

8 Q. Okay. I will move to strike as nonresponsive.
9 We will let you explain to the jury why you won't answer
10 that question.

11 Okay. If we get to a jury, which I don't
12 suspect based on this deposition that's ever going to
13 happen.

14 MR. ZAMBRANO: You haven't finished.

15 BY MR. WEINSTEN:

16 Q. Now, you claim --

17 Actually, at any time --

18 We talked about Ms. Nomura's comments or
19 actually you said she didn't make a comment, she was
20 just laughing at things on the bus.

21 Other than the things that Ms. Nomura was
22 laughing about on the bus to Amsterdam, at any time did
23 Ms. Nomura make a comment that -- to you that offended
24 you?

25 A. Can you say the question again.

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1 Q. Other than --

2 That wasn't even a comment so let me just do it
3 this way: At any time during your time working at Big
4 Grrrl Big Touring did Ms. Nomura make any comment
5 directly to you that you found to be offensive?

6 A. Yes.

7 Q. Okay. When was the first time Ms. Nomura made
8 a comment to you that offended you?

9 A. The first day that I got on tour she asked me
10 to come straight to the venue and not have a moment to,
11 you know, gather myself at the hotel. She knew I was
12 coming off of, like, not sleeping that night before on a
13 long flight, and when I get to the backstage to meet
14 her, she is kind of giving me the lay of the land,
15 introducing me to certain people, showing me what
16 different rooms are and when she got to where the
17 dancers' dressing room was, she was pointing out that
18 there was not enough space or tools that they needed to
19 get ready and telling me that they were going to blow up
20 and kind of have a diva fit about it, and so me being
21 new and on the job and a problem solver I said, "Well,
22 let's fix it. I can talk to Kyle," who I did not know
23 at the time yet. He was in charge of putting people in
24 different rooms. And I said, "I volunteer to talk to
25 him," because I'm, like, "I'm a girls' girl. I can

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1 explain to him that we need more space," and I was
2 instructed not to talk to him. And I said, "Okay, well,
3 I can go to whatever the local, you know, similar store
4 to Walmart is and get more mirrors, more tables so that
5 the girls can have what they need to feel comfortable
6 and perform good that night." And she told me no and to
7 let it happen, and I found that offensive because as a
8 black woman a lot of times microaggressive things happen
9 where we are kind of set up for failure, and I know that
10 because I've experienced that in my own career and so I
11 thought it was offensive that these women were being set
12 up to have a blowup and they, in fact, didn't, so I
13 would say that is the first of many offensive things
14 that happened.

15 Q. Okay. Is that part of any of your claims in
16 the case?

17 A. Yes.

18 Q. What --

19 A. I believe so.

20 Q. -- claim does that relate to?

21 MR. ZAMBRANO: Calls for a legal conclusion.

22 BY MR. WEINSTEN:

23 Q. Well, I'm just asking you. Are you saying is
24 that a racist thing because Ms. --

25 Am I correct that you're claiming that because

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1 Ms. Nomura said don't fix the dressing room, that's a
2 racist comment?

3 A. I think you're simplifying it, but yes, that is
4 a racist microaggression.

5 Q. Okay. What is the --

6 And that's the first one.

7 So what was the next thing that Ms. Nomura said
8 to you that offended you?

9 A. I believe later that day Bree Runway came into
10 the room and she needed a pair of fishnet stockings and
11 so at the time I was under the understanding that the
12 stock was for everybody that was on tour, so I gave her
13 a pair. She was really grateful. And when Amanda came
14 back in the room I said, "Hey, just so you know I gave
15 Bree Runway a pair of tights," and she blew up on me and
16 yelled and said I was not to do that and was really
17 upset. And that was extremely offensive and another
18 racist microaggression.

19 Q. Who is Bree?

20 A. Bree Runway was the opener on tour.

21 Q. Okay. Well, if she's the opener, don't they
22 bring their own fishnet stockings?

23 MR. ZAMBRANO: Calls for speculation.

24 Please answer.

25 BY MR. WEINSTEN:

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1 Q. Isn't that what Ms. Nomura told you, that the
2 opening act brings their own stockings, you're not
3 supposed to be giving Lizzo's dancers' stockings to the
4 opening act?

5 A. She did not tell me that previous to me giving
6 her those stockings.

7 Q. So this is something you believe to be racist
8 because Ms. Nomura told you not to give Lizzo's tour
9 stockings to another act; is that your testimony?

10 A. I know that that is a racist microaggression.

11 Q. By the way, if Ms. Nomura was black and said
12 the same thing to you, would that be a racist
13 microaggression?

14 A. I honestly can't imagine a world where that
15 would be something that a fellow black woman would say
16 because we know how things are, and I think it's part of
17 our culture to take care of each other, so I don't think
18 that's a fair question that I could ask.

19 Q. So, in fact, Ms. Daniels, isn't it you that is
20 the one that is being racist because if a black person
21 said it, it wouldn't be racist but if a white person
22 says it, then it is racist? Aren't you the one being
23 racist, Ms. Daniels?

24 MR. ZAMBRANO: Hold on. I'm not going to have
25 her answer that question. That's harassing --

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1 MR. WEINSTEN: Actually, she's the one who made
2 these comments to Ms. Gugliotta that are pure --

3 By the way --

4 MR. ZAMBRANO: I'm instructing her not to
5 answer.

6 (Instruction by counsel.)

7 BY MR. WEINSTEN:

8 Q. -- do you have a problem with Asian people,
9 Ms. Daniels?

10 MR. ZAMBRANO: You can answer that.

11 THE WITNESS: I love Asian people. My
12 brother-in-law is Asian, his mom is Asian and they are
13 family to me.

14 BY MR. WEINSTEN:

15 Q. Okay. Ms. Nomura is Asian, right?

16 A. She is half Asian.

17 Q. Okay. So now you testified about you are
18 upset, that Ms. Nomura told you not to give the
19 stockings to the opening act, you're upset that she told
20 you not to do anything with regards to the dancers'
21 room.

22 Other than these two things did Ms. Nomura say
23 anything else to you that you found to be offensive?

24 A. Yes. A lot. There is a lot more.

25 Q. We are going to go through every single one.

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1 A. Great.

2 Q. So what is the next one?

3 A. The next one is after she yelled at me about
4 giving Bree those stockings, even though she told me --
5 she did not tell me not to, the next day -- the next
6 morning she pulled me into a conversation --

7 So she was kind of like on a mission to make a
8 big deal out of this, so she was talking to security
9 asking them to follow all of the black women that are
10 her dancers, her tour manager on Instagram to try to
11 catch them breaching their security protocol so that she
12 could get them kicked off of tour.

13 Q. I'm sorry. Say this -- That is confusing to
14 me. Ms. Nomura asked security to do what?

15 A. To follow all of the black female dancers, Bree
16 Runway, who is a black woman, and her tour manager, who
17 is a black woman, on Instagram so that they could try --
18 excuse me -- so that they could try to catch them
19 breaching security protocol so that she could get them
20 kicked off of the tour.

21 Q. Did she say follow the black female dancers?

22 A. No. I'm pointing out that these are black
23 women to kind of make you -- help you understand that
24 these are things that black women know are racist
25 microaggressions.

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1 Q. Okay. So she --

2 A. She didn't -- For example, Bree Runway's team
3 had, I believe, two white men. She did not ask the
4 security to follow them. She only asked them to follow
5 the black women.

6 Q. But the point is she didn't say to follow the
7 black women, what she said was -- just to be clear, she
8 said follow the dancers on social media; is that
9 correct?

10 A. She had them follow the dancers, Bree Runway
11 and Bree Runway's tour manager, who all happen to be
12 black women.

13 Q. I'm sorry. What is "free runway"?

14 A. Bree. Bree Runway.

15 Q. Oh, Bree. Bree. I'm sorry. I thought you
16 said "free."

17 So she wanted to follow Bree Runway and -- who
18 is -- What is her job again?

19 A. She was the opening act on tour.

20 Q. So she wanted to follow the opening act and the
21 dancers, so people who are performing, to see if they
22 are complying with security protocols, correct?

23 A. Also her tour manager.

24 Q. Whose tour manager?

25 A. Bree Runway's tour manager.

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1 BY MR. WEINSTEN:

2 Q. Am I correct that by your testimony Ms. Nomura
3 said to security that they wanted security to follow the
4 opening act's dancers and tour manager on Instagram to
5 ensure that they are complying with security protocols?
6 Did that happen?

7 A. She asked them to follow them but also the tour
8 opener to see if they were because she wanted to get
9 them kicked off tour, and that is what I found
10 offensive.

11 Q. Okay. Just to be clear, did she say to
12 security, "I want to get them kicked off tour"?

13 A. Yes.

14 Q. Did she say why she wanted to get them kicked
15 off tour?

16 A. She did not say why but I can tell you what I
17 understood from it, but no, she did not say why.

18 Q. Okay. So to be clear Ms. Nomura didn't say
19 anything about anybody being black or anything else, all
20 she said was I want to make sure that --

21 Let me back up. Move to strike that -- not
22 move to strike. I will withdraw that question. Let me
23 try it again.

24 Just to be clear, the comment from Ms. Nomura
25 that you found to be offensive, was it that she asked

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1 security to follow the opening act and their tour
2 manager on Instagram to ensure that they are complying
3 with security protocols because she wanted to get them
4 kicked off tour, correct?

5 A. I found it offensive that she wanted to get
6 them kicked off tour and was going out of her way and
7 doing something that wasn't part of her job title to do
8 it.

9 Q. Okay. But the question is: Those are the
10 words that she said to the security, correct?

11 A. In so many words that was the conversation.

12 Q. Okay. Does Ms. Nomura have any authority over
13 the opening act to kick them off?

14 A. No, she doesn't, and it wasn't part of her job
15 description, but she went out of her way to do it and it
16 was a wide-known thing that she was trying to do that
17 and nobody that I saw told her, "Hey, this actually
18 isn't your job to do."

19 Q. Okay. You now talked about three things that
20 you believe Ms. Nomura said that were offensive. What
21 was the next thing that she said that you found to be
22 offensive?

23 A. After she did that she made me come into a room
24 with Bree Runway's tour manager and she instructed me to
25 be quiet and she told -- she talked in a very nasty tone

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1 to Bree Runway's tour manager and said your dancers are
2 not to be part of Lizzo's prayer circle, they are not to
3 interact with Lizzo's dancers, they are not to use,
4 like, the bathrooms or the accommodations of Lizzo's
5 dancers even after they are done with them and it's
6 inconsequential to anybody. She also said that they are
7 not to talk to basically, like, the Lizzo side of
8 things, and I found that offensive because I -- I went
9 into the tour assuming that Lizzo would want her opening
10 act being taken care of and it was a harsh awakening
11 that this was even going on and being allowed.

12 Q. That's not your job to decide whether or not
13 Lizzo's people want the opening act to be separated from
14 Lizzo's group, isn't that right?

15 MR. ZAMBRANO: Hold on. Hold on. Compound,
16 argumentative.

17 Go ahead. Please answer.

18 BY MR. WEINSTEN:

19 Q. It's not --

20 MR. ZAMBRANO: Let me just get it out. I just
21 want to get it out.

22 MR. WEINSTEN: Okay.

23 Q. It's not your responsibility to decide whether
24 or not it's appropriate for Lizzo's team to want
25 separation from the opening act; isn't that right?

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1 MR. ZAMBRANO: Vague, ambiguous, misstates
2 testimony.

3 Please answer the question.

4 THE WITNESS: It's not part of my job title
5 while on tour.

6 BY MR. WEINSTEN:

7 Q. Okay. And have you now told me --

8 And you found this to be offensive, and again
9 you believe this is racial discrimination; is that
10 right?

11 A. That is correct.

12 Q. By the way, do you believe it is racial
13 discrimination if Ms. Nomura were to say to Lizzo's
14 dancers, "We don't want you intermingling with the
15 opening group," is that a racist -- would that have been
16 a racial microaggression?

17 A. Yes.

18 MR. ZAMBRANO: Hold on. Incomplete
19 hypothetical.

20 MR. WEINSTEN: Okay.

21 Q. Have you now told me everything that you can
22 recall about the conversation with Ms. Nomura about
23 keeping Lizzo's team separate from the opening act?

24 A. Yes.

25 Q. Okay. What was the next thing that Ms. Nomura

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1 did that you -- Was there --

2 Did Ms. Nomura say anything else that you found
3 to be offensive?

4 A. Yes.

5 Q. What was the next thing that she did that you
6 found to be offensive?

7 A. To be honest, every day she said something that
8 was offensive.

9 Q. We will go through every single one of them.
10 So let's just take the next one.

11 A. Okay. Okay. That night the -- she was
12 struggling with a rolling rack to get the rolling rack
13 out of Lizzo's backstage area. And so I went to help
14 her with the rolling rack, and she was so frantic in
15 trying to rush to get that rolling rack out that she ran
16 over my foot, and so when I told her, like, "Ouch, you
17 ran over my foot, that hurts, I need a second," she
18 pushed me and she told me, "Don't make excuses. Take
19 this rolling rack," but it was not my job to take the
20 rolling rack, I was just trying to help her. It was her
21 job to do so, and so I was -- I don't know if offended
22 is the right word. I was hurt and traumatized by that
23 situation.

24 Q. Okay. Where did that occur?

25 A. Backstage.

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1 Q. In what city?

2 A. I believe it was Oslo.

3 Q. By the way, the rolling rack, was this the rack
4 for Lizzo or was it the rack for the dancers?

5 A. It was the rack for Lizzo.

6 Q. And just to be clear, where was she taking the
7 rack, from where to where?

8 A. She was taking it from Lizzo's backstage
9 dressing area and she was taking it down to the wardrobe
10 area.

11 Q. How far a distance is that?

12 A. It would be -- I don't know if I have, like, a
13 measure of units that I could use. Is there a way you
14 would like me to kind of give you a reference?

15 Q. How long would it take to get a rack from her
16 wardrobe area -- I'm sorry -- from backstage to the
17 wardrobe area? Is that a --

18 A. Maybe five minutes.

19 Q. -- one-minute --

20 Five minutes. Okay.

21 A. Yeah, maybe five.

22 Q. Okay. So it's a long distance?

23 A. Yes.

24 Q. And where was -- when you went to go help
25 Ms. Nomura where was that? Was it backstage? Was it on

Asha Daniels

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1 the way to the wardrobe area? Was it in the wardrobe
2 area?

3 A. It was backstage.

4 Q. And was the rack in her office or was --
5 Where was it exactly?

6 A. In Lizzo's backstage dressing area.

7 Q. Okay. So it was in Lizzo's dressing area?

8 A. That is correct.

9 Q. Okay. And you said this was in Oslo. Okay.

10 Which foot did she run over, your right or your
11 left?

12 A. My right foot.

13 Q. And what were you wearing on your foot at the
14 time?

15 A. I don't know if I can recall exactly.

16 Q. Were you wearing Crocs?

17 A. It's possible, but I can't swear to it.

18 Q. Were your toes covered?

19 A. Yes.

20 Q. And how big a rack --

21 How much was on the rack? Was it loaded with
22 clothes or was it --

23 A. It was loaded with heavy clothes that she wore
24 for the performance, and if my memory is correct, there
25 were some things on the bottom part of the rack as well,

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1 the time it went over your foot your hands are on the
2 rack pulling the rack; isn't that right?

3 A. No. So this kind of happened in two parts. I
4 helped her get it down from the lip, and once it was
5 there I probably still had my hands on the rack but I
6 wasn't moving it anymore and she pushed it in a rush and
7 it ran over my foot.

8 Q. Were your hands on the rack when it went over
9 your foot?

10 A. I believe so.

11 Q. Okay. Were you pushing or pulling at the time?

12 A. I wasn't doing anything. A lot of times when
13 you get something over a lip you like wait a second
14 because I wasn't necessarily intending on helping her
15 take it all the way down. I was trying to help her get
16 it off of that lip.

17 Q. How fast were you moving at the time you were
18 pulling --

19 When you were pulling the rack before it went
20 over your foot, how fast were you moving?

21 MR. ZAMBRANO: Vague and ambiguous as asked.

22 BY MR. WEINSTEN:

23 Q. You can answer.

24 A. At a normal pace that anyone would probably try
25 to pull it.

Asha Daniels

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1 Q. Did you pull hard?

2 A. Yes.

3 Q. So you were pulling hard --

4 Was it on the lip when you were pulling hard
5 and then it just popped up?

6 A. I was pulling hard to get it off of the lip and
7 then it was stationary.

8 Q. Did the rack ultimately get where it needed to
9 go?

10 MR. ZAMBRANO: Calls for speculation.

11 Please answer.

12 THE WITNESS: Yes, it did.

13 BY MR. WEINSTEN:

14 Q. How did it get there?

15 MR. ZAMBRANO: Calls for speculation.

16 Please answer.

17 THE WITNESS: If my memory serves me correctly,
18 I believe that she -- Let's see. She pushed me and told
19 me don't make excuses. And then I must have taken it
20 down to the wardrobe area.

21 BY MR. WEINSTEN:

22 Q. Okay. So you took the rack down?

23 A. I believe so but...

24 Q. Why did you take it and not Ms. Nomura?

25 A. My goal was just to help her. I had other

Asha Daniels

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1 things that I needed to do. I needed to take the
2 dancers' rack down but I think she took me helping her
3 as, okay, now it's your job, and so I think that was --
4 we were on two different pages for that.

5 Q. Okay. So the rack rolled over your foot. You
6 say Ms. Nomura pushed you. Where was she --

7 In what way did she push you?

8 A. She was standing next to me and so, like I
9 said, when I helped her get it over the lip, it was
10 stationary and my guess was we were going to talk about,
11 you know, next step or if she needed me to help her or
12 if she had it at that point and she pushes me and says,
13 "Don't make excuses. Take it."

14 Q. So she pushed you before or after she ran over
15 your foot?

16 A. After.

17 Q. So it runs over your foot. Did you say
18 anything to Ms. Nomura at the time it ran over your
19 foot?

20 A. Yes. I said, like, "Ouch, you just ran over my
21 foot, that hurt," something like that.

22 Q. And then at that point in time --

23 So she was on the side of the rack, you are in
24 front of the racket. It runs over your foot, you get it
25 over the lip, and then at what point in time did

Asha Daniels

June 2, 2025

1 Ms. Nomura push you?

2 A. So the order is we get it over of the lip
3 first, and then she pushes it over my foot and then she
4 pushes me.

5 Q. And pushed you with two hands? One hand?

6 A. Two hands.

7 Q. Where was she standing when she was pushing?

8 A. Next to me.

9 Q. To your right or to your left?

10 A. To my left.

11 Q. How hard did she push?

12 A. Hard enough for me to roll my ankle so pretty
13 hard.

14 Q. Did you fall?

15 A. I didn't fully hit the ground but yes, I fell.

16 Q. Where did you land on? Where did you land?

17 A. Like I caught myself on the rack.

18 Q. So you didn't fall, you stumbled?

19 A. I think that's semantics of what you would
20 consider falling.

21 Q. So you were --

22 You were falling backwards, forwards, to the
23 side, which way?

24 A. Like kind of forward and to the side at the
25 same time.

Asha Daniels

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1 Q. Okay. And which way -- And then you stumbled;
2 is that right?

3 A. Yes.

4 Q. And you stumbled into the rack or away from the
5 rack?

6 A. Into the rack.

7 Q. Okay. Did the rack move?

8 A. I'm sure that it did.

9 Q. Okay.

10 A. But at that point I was hurt so that wasn't my
11 primary attention.

12 Q. So you used the rack to hold yourself up; is
13 that right?

14 A. I kind of caught myself with the rack.

15 Q. Okay.

16 Now, did you break any bones as a result of the
17 rack rolling on your foot?

18 A. No.

19 Q. Was the skin breached?

20 A. I had a swollen ankle and it was bruised.

21 Q. I'm not talking about the ankle. Right now
22 we're talking --

23 A. Do you mean was I cut?

24 Q. -- about the foot. You said the rack rolled
25 over your foot. Starting with the foot, was any skin

Asha Daniels

June 2, 2025

1 breached on the foot?

2 A. By "breached" do you mean broken?

3 Q. Yeah.

4 A. No.

5 Q. Okay. Was it bruised or swelling, the foot?

6 A. Yes.

7 Q. Okay. Was the foot bruised and swelling
8 because of the rack or because of the twisting of the
9 ankle?

10 A. I'm not a doctor. I think like the foot and
11 the ankle are part of the same body part, so I think all
12 of these things contributed to the swelling of it.

13 Q. Okay. Where was the swelling?

14 A. On my right ankle and like the top of the foot.

15 Q. But the rack rolled over the left foot
16 according to your testimony?

17 A. That's not what I said.

18 Q. So you believe you had swelling. Was there
19 bruising?

20 A. I don't believe I did have swelling and
21 bruising.

22 Q. Which -- Did you have no bruising or swelling?

23 A. Can you ask the question again?

24 Q. After this incident with the rack did you have
25 bruising or swelling on your foot or ankle?

Asha Daniels

June 2, 2025

1 A. I had both.

2 Q. Okay. On the foot, the ankle or where?

3 A. Both.

4 Q. Okay. Where on the foot was the bruising?

5 A. I have already answered this question. It was
6 the right foot and the right ankle --

7 Q. The question is --

8 A. -- the top of the right foot.

9 Q. -- where on the foot? Was it on the top of the
10 foot, the bottom of the foot, the side of the foot, the
11 ankle, where?

12 A. I answered this question. I said on the top of
13 my right foot.

14 Q. Okay. On the top. And the swelling was where?

15 A. On my ankle and the top of my right foot.

16 Q. Okay. Did you sprain your ankle?

17 MR. ZAMBRANO: (Inaudible.)

18 THE COURT REPORTER: I --

19 MR. ZAMBRANO: Calls for a medical opinion.

20 Sorry.

21 Go ahead. You can answer.

22 BY MR. WEINSTEN:

23 Q. Was your ankle sprained?

24 A. I'm not a doctor but I believe so.

25 Q. Okay. Did you get it checked out?

Asha Daniels

June 2, 2025

1 A. No.

2 Q. Why not?

3 A. I was not allowed to.

4 Q. Who said you couldn't get your ankle checked
5 out?

6 A. Amanda.

7 Q. When did she say this?

8 A. I believe the next day is when I realized that
9 this is going to be hard to work like this, which back
10 to your previous question, these are things that could
11 have stopped me from doing a good job but I pushed
12 through, so yeah, I complained for quite a while to
13 Amanda. I was like I would love to see someone, my
14 ankle is not good, I would love to at the very least be
15 able to sit down during some of these tasks and I was
16 not allowed to.

17 Q. We are talking right now about seeing a doctor.
18 So my question is: Isn't there a doctor that travels
19 with you?

20 A. There should be, but there is not; and if there
21 was, I did not know about it and it was not provided to
22 me, but I'm pretty sure there was no doctor.

23 Q. Okay. So you say that you asked Ms. Nomura.
24 What did you say to Ms. Nomura about getting your ankle
25 checked out?

Asha Daniels

June 2, 2025

1 A. Is there someone I can see about my ankle.

2 Q. And she said what?

3 A. No.

4 Q. And did you complain to Ms. Gugliotta saying,
5 you know, I need to get my ankle checked out?

6 A. I don't believe that I did because by the time
7 I talked to Carlina this was like not the most pressing
8 thing to talk to her about.

9 Q. You just said you were in pain. Isn't this
10 important to you to get your ankle checked out by a
11 medical professional in case something more serious was
12 going on?

13 A. Of course it was, but this was something that I
14 talked to Amanda about and she told me that I was only
15 to talk to her, I was not to talk to anybody else about
16 anything that happened on the job with me and her.

17 Q. Okay. But let's go back to the -- you said --
18 what specifically did you say to Ms. Nomura that --

19 This was the day after it occurred that you
20 asked her about seeing a doctor?

21 A. Yes.

22 Q. Okay. What time of day was that?

23 A. The morning.

24 Q. Why didn't you ask her that day, the day that
25 it happened if you could go see a doctor?

Asha Daniels

June 2, 2025

1 A. Amanda is really hard to talk to when she gets
2 in like a manic moment, and so she was pretty hostile
3 towards me after that happened and I didn't feel
4 comfortable talking to her.

5 Q. But the next morning you felt comfortable all
6 the sudden talking to her?

7 A. She would have mood swings where sometimes she
8 was calm and sometimes she was irate and on a mission.

9 Q. When you --

10 At the time that you asked Ms. Nomura about
11 going to see a doctor, where did that conversation take
12 place?

13 A. In wardrobe.

14 Q. And again we are still in Oslo, right?

15 A. I believe so.

16 Q. Was this --

17 A. I don't want to say that we were in Oslo. I
18 don't know. I'm not sure. I shouldn't say something
19 I'm not exactly sure of.

20 Q. How many days into the tour were you at the
21 time this happened?

22 A. I believe it was the next day.

23 Q. When you say "the next day," the next day of?

24 A. So this happened during the nighttime and the
25 next morning is what I'm referring to.

Asha Daniels

June 2, 2025

1 Q. You testified that this incident happened in
2 Oslo, right?

3 A. I believe so.

4 Q. Okay. Was it during the rehearsal --

5 Was it on the day of a rehearsal or was it --

6 A. No. This was --

7 Q. -- the actual show?

8 A. It was --

9 MR. ZAMBRANO: You have to wait.

10 THE WITNESS: Sorry. This was the actual tour
11 so this was after the performance had ended.

12 BY MR. WEINSTEN:

13 Q. Okay. So that was on February 17th so that's
14 three days into the -- four days into since you arrived,
15 correct?

16 A. I'm not sure. But I know there is
17 documentation that could give us those exact dates.

18 Q. Well, you arrived on the 14th, you had a
19 rehearsal in Oslo on the 15th, rehearsal on the 16th and
20 then you performed on the 17th. Does that sound about
21 right, Friday?

22 A. Yes, maybe that is correct, but like I said, I
23 can't for sure tell you.

24 Q. So the incident happened you recall on a day
25 that you were actually performing?

Asha Daniels

June 2, 2025

1 A. I was not performing.

2 Q. I don't mean you. The group was performing.

3 A. That is correct.

4 Q. Okay. And the next day you left for
5 Copenhagen; isn't that right?

6 A. I'm not exactly sure what city, but I know
7 there is documentation that could tell you the order of
8 the cities that we went to.

9 Q. So I guess the question I would have is: If,
10 in fact, it was the next day that you spoke to
11 Ms. Nomura, that wouldn't have happened backstage or --
12 I'm sorry -- in wardrobe in Oslo because you would have
13 been on the bus heading to Copenhagen, there would be no
14 reason for you to be back in wardrobe on that day; isn't
15 that right?

16 MR. ZAMBRANO: Hold on. Compound, vague and
17 ambiguous, assumes facts, argumentative.

18 Please answer.

19 BY MR. WEINSTEN:

20 Q. Isn't that right?

21 A. What I am saying is --

22 MR. ZAMBRANO: Same objections.

23 Please answer.

24 THE WITNESS: What I'm saying is I might not
25 know the exact city we were in because we went to a lot

Asha Daniels

June 2, 2025

1 of cities, but I had this conversation the next time
2 that we were in wardrobe in the morning.

3 BY MR. WEINSTEN:

4 Q. Okay. So it may have happened a couple of days
5 later where you had the conversation?

6 A. That is not what I remember but I am not sure.

7 Q. Okay. Tell me everything you said to
8 Ms. Nomura on this conversation where you don't recall
9 where it happened, when it happened, et cetera?

10 Go ahead.

11 A. I do recall where it happened. I'm saying that
12 I don't know the exact city that it happened in. And it
13 was a short conversation. I told her that night it was
14 swollen and it hurts really bad and I said was there
15 anyone that I could see that was a medic, a doctor, that
16 should have been on tour and she told me no.

17 Q. And what did you say to her when she said no?

18 A. That was the end of the conversation. There
19 wasn't much more to say.

20 Q. You didn't follow up with her again later and
21 ask her again?

22 A. I wouldn't have asked her about a doctor again
23 because she already told me that there was not a doctor
24 that I could see, but I definitely told her that my
25 ankle hurt so that was like a constant conversation.

Asha Daniels

June 2, 2025

1 Q. Hold on. When you say she told you there was
2 not a doctor to see, she didn't say to you that you
3 can't go see a doctor, she just said there's not one
4 around here; is that right?

5 A. I believe the implication was that there was no
6 doctor there and that I was not going -- I don't know
7 what doctors are in whatever city we were in so the
8 answer was -- it ways a no, I was not going to get to
9 see a medical professional.

10 Q. I need to understand the exact words here
11 because words are important. Did she say to you you may
12 not see any medical professional at all or did she say
13 to you words to the effect that we don't have somebody?

14 A. She told me that we don't have anyone here,
15 that there was no medic on site.

16 Q. So she did not say you can't call up a doctor
17 outside and go get checked up; is that right?

18 A. She did not say that specifically, but I was
19 not allowed to leave the premises.

20 Q. How do you know you weren't allowed? Did you
21 ever ask to leave the premises?

22 A. She told me that we were not allowed to leave
23 the premises, and she told me that people often get left
24 on tour and it was kind of like a scare tactic to make
25 sure that I stayed on the premises.

Asha Daniels

June 2, 2025

1 Q. Did she say to you when you were in that
2 conversation about a doctor that you can't leave the
3 premises to go see a doctor?

4 A. No. That was something that she had already
5 told me.

6 Q. Did you ask her, "Hey, I'm really hurting here,
7 I would like to go see somebody in town to check out my
8 ankle"? Did you say words to that effect?

9 A. I asked her was there a medical professional
10 that I could see, and she told me no. And she had
11 already established that there was no leaving the
12 premises that we were working on.

13 Q. Did you get crutches for your ankle?

14 A. No.

15 Q. Did you ask for crutches?

16 A. No.

17 Q. At any time --

18 By the way, how long was the -- for how long
19 was the ankle hurting?

20 A. The entire time that I was on tour. It
21 definitely subsided, but the entire time I was on tour
22 my ankle hurt.

23 Q. After you were off tour and you were no longer
24 under this mandate that you can't leave the premises,
25 did you go see a doctor then?

Asha Daniels

June 2, 2025

1 A. Not specifically about my ankle.

2 Q. Okay. Why didn't you go see a doctor about

3 your ankle if it was in pain through the whole tour?

4 Why didn't you go see a doctor as soon as you got home?

5 A. Because like I said, the pain had subsided and

6 it was more of a dull pain at that point, and it was

7 something that I had learned to just live with so I

8 didn't.

9 Q. You didn't --

10 You weren't concerned that maybe it was

11 fractured or potentially sprained and that you should at

12 least get an X-ray?

13 A. That was not my -- That wasn't the head space

14 that I was in when I was sent home. I was trying to

15 unpack all of the traumatic things that happened on

16 tour.

17 Q. By the way, you told Ms. Gugliotta that

18 Ms. Nomura ran you over with a rack -- isn't that right?

19 -- ran over your foot with a rack?

20 A. I believe so, but I -- I believe so.

21 Q. But you didn't actually tell her, you told her

22 that in writing; isn't that right?

23 A. I would have to review the documents to know if

24 I told her it in writing or in person.

25 Q. We will get to that in a minute.

Asha Daniels

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1 You never told Ms. Gugliotta that you were
2 denied medical care for your ankle; isn't that right?

3 A. I'm not sure. I talked to Ms. Gugliotta about
4 a lot of things both in person and things that we have
5 documentation on so I'm not sure.

6 Q. Did you ask Ms. Gugliotta if you could go see a
7 doctor?

8 A. No.

9 Q. Is there a reason you would be talking to her
10 about this specific incident in writing and complaining
11 about Ms. Nomura and not ask to see a doctor?

12 A. Can you ask the question again.

13 Q. I'm trying to understand. You sent a text to
14 Ms. Nomura complaining about -- I'm sorry -- to
15 Ms. Gugliotta complaining that Ms. Nomura ran over your
16 foot with a rack but you never in that same text
17 indicated that you needed medical attention; isn't that
18 right?

19 A. I would have to review the text messages to
20 tell you for sure.

21 Q. But sitting here today you don't recall ever
22 asking Ms. Gugliotta if you could go see a doctor; is
23 that right.

24 A. Not to my memory right now.

25 Q. Did you take any photos of your foot or your

Asha Daniels

June 2, 2025

1 ankle at that time?

2 A. I don't believe so.

3 Q. Why not?

4 A. It wasn't something that crossed my mind.

5 Q. Did you request to take time off at that time?

6 A. No.

7 Q. Did you request any accommodations with respect
8 to your ankle at that time?

9 A. Yes.

10 Q. What accommodations did you ask for?

11 A. The work that we did we did a lot of it on our
12 feet and it was unnecessary for us to be on our feet,
13 and so I asked if we could have better seating where I
14 could do some of the work while being off of my ankle
15 and I was denied that.

16 Q. Did you ask for any other accommodations other
17 than better seating?

18 A. I did. I also asked to not be on the top bunk
19 of our tour bus and I was denied that.

20 Q. By the way, how many -- in the tour bus, the
21 bunks, how many bunks are there? Is it three?

22 A. I don't have the best memory but there is at
23 least three levels.

24 Q. Right. And, in fact, you weren't on the top
25 bunk, you were in the middle bunk where you were

Asha Daniels

June 2, 2025

1 assigned and you were in that same bunk the entire time
2 you were working; isn't that right?

3 A. No.

4 Q. Were you in the same bunk the entire time you
5 were working?

6 A. I believe so.

7 Q. So if I were to show you the bunk designation
8 showing that you were, in fact, in the middle bunk, you
9 would say that's a lie because I was always in the top
10 bunk the entire time; is that right?

11 MR. ZAMBRANO: Incomplete hypothetical.

12 Please answer the question.

13 THE WITNESS: I was always in the top bunk, and
14 there was not a, like, diagram of who got what.

15 BY MR. WEINSTEN:

16 Q. There were assignments as to --

17 When you arrived on the tour, there were
18 assignments as to which bunk you would be assigned to;
19 isn't that right?

20 A. No.

21 Q. How did you know which bunk to take?

22 A. Amanda told me.

23 Q. By the way, how did you get to the top bunk?

24 A. It was terrible. I had to kind of like use my
25 arms and legs to shimmy up.

Asha Daniels

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1 the -- that Ms. Nomura told you not to fix the dressing
2 room, that she told you not to give stock -- stockings
3 to the opening act, that she asked security to follow
4 the opening act's social media, that she told --
5 wanted -- or told the dancers for the opening act to
6 stay separated from Lizzo's dancers, and then we talked
7 about the incident with the foot and the rack.

8 Do you recall all of that generally?

9 A. In so many words. You missed a few things, but
10 yes.

11 Q. Okay. I want to go to the next thing. So
12 the -- number five was the rack incident.

13 What was the next thing after, if there was,
14 that Ms. Nomura said or did to you that you found to be
15 offensive?

16 A. So there were quite a few instances where she
17 would make fun of the dancers in a way that I felt was
18 racially motivated, imitating the way that they talk. A
19 lot of gossip sessions happened in wardrobe where
20 different people would kind of come back and talk to
21 Amanda and they would make fun of both Lizzo and the
22 dancers.

23 Q. Okay. When was the first time this happened in
24 your -- do you remember where -- Let's just start
25 with --

Asha Daniels

June 2, 2025

1 A. I can't --

2 Q. -- where you were. Do you remember what --

3 A. In wardrobe.

4 Q. -- venue?

5 A. I don't remember what venue. Sorry.

6 MR. ZAMBRANO: Let him finish.

7 BY MR. WEINSTEN:

8 Q. Okay. Was it five days in, two weeks in? How
9 far in?

10 A. I'm not exactly sure but it was definitely in
11 February.

12 Q. Okay. Well, most of your time was in February.
13 So can you give me your best approximation of
14 how many days into the tour when you first heard
15 Ms. Nomura make fun of the dancers?

16 A. Well, technically it would be the first day
17 when she was telling me that they were going to blow up
18 about the accommodations.

19 Q. How was that making fun of them? Actually,
20 I'll skip that.

21 After that incident what's -- when is the first
22 time -- Yeah, I want to do it this way.

23 When is the first time after telling you that
24 she's not going to fix the dressing room, when was the
25 next time you heard her making fun of the dancers?

Asha Daniels

June 2, 2025

1 A. It was probably in the same week but I can't
2 give you an exact day.

3 Q. Okay. Tell me what happened in that instance.

4 A. So these things were in passing and it happened
5 often. I can, like, speak to things that I know that
6 she said but I can't give you the exact day, time.

7 Q. Okay. Tell me the first thing that you recall
8 her saying in passing that made fun of the dancers.

9 A. Someone came back into the wardrobe area and
10 she was mimicking one of the dancers and using, like,
11 stereo typical gestures that make fun of a black woman,
12 are kind of like set to call that woman ghetto.

13 Q. Okay. Which dancer was she mimicking?

14 A. I'm not sure which one, but I knew it was one
15 of the dancers.

16 Q. Can you describe for the video what exactly she
17 did to mimic the dancers?

18 A. Yeah. Talking like this (indicating).

19 Q. Okay. Other than --

20 Did she say words when she did this signal you
21 just gave?

22 A. Yes, she did, and I can't tell you exactly what
23 the words were.

24 Q. And how many times did she move her hand in
25 that gesture in that --

Asha Daniels

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1 A. I can't give you --

2 Q. -- in the first instance?

3 A. -- the exact amount of times.

4 Q. Okay.

5 MR. ZAMBRANO: Do your best to let him finish
6 talking --

7 THE WITNESS: Sorry.

8 MR. ZAMBRANO: -- before you start talking.

9 THE WITNESS: Okay.

10 MR. ZAMBRANO: Thank you.

11 BY MR. WEINSTEN:

12 Q. And who was she saying that to?

13 A. I believe it was Molly.

14 Q. Okay. So it wasn't to you, it was to Molly.

15 And who's Molly?

16 A. I don't know Molly's official title, but I know
17 that she was in charge of taking care of the dancers.

18 Q. What's her last name?

19 A. I'm not sure what her last -- last name is.

20 Q. Where were you when this -- when --

21 By the way, was it just Molly and Ms. Nomura in
22 that conversation?

23 A. Yes, to my memory.

24 Q. And where were you -- what were you doing?

25 Were you part of that conversation?

Asha Daniels

June 2, 2025

1 A. No, I was not part of the conversation. I was
2 attending to some work.

3 Q. Okay. How close were you to the conversation?

4 A. Within earshot.

5 Q. Okay. But you don't remember what she said?

6 A. She wasn't talking to me so it wasn't -- Once
7 again, I wasn't, like, part of that conversation so, no,
8 I can't say exactly what she said.

9 Q. So sitting here today you don't know who the
10 dancer was, you don't know when it happened, you don't
11 know where it happened, you just remember a hand
12 gesture.

13 You don't know the context in which that hand
14 gesture was made; isn't that right, Ms. Daniels?

15 MR. ZAMBRANO: Hold on. Misstates testimony,
16 misstates the evidence.

17 Please answer the question.

18 THE WITNESS: I'm sorry. Can you ask the
19 question again.

20 BY MR. WEINSTEN:

21 Q. Well, based on the testimony you've given so
22 far, you have no idea the context in which that hand
23 gesture was made, do you?

24 A. I do.

25 MR. ZAMBRANO: Hold on. Vague and ambiguous.

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1 BY MR. WEINSTEN:

2 Q. Okay. Then what was the conversation about
3 when you saw the hand gesture?

4 MR. ZAMBRANO: Hold on.

5 Vague and ambiguous as asked.

6 Please answer the question.

7 BY MR. WEINSTEN:

8 Q. You can answer. What were they discussing?

9 A. I knew that she was mimicking one of the
10 dancers.

11 Q. Okay. But that's not the question,

12 Ms. Daniels. If you -- If the answer is -- is --

13 Give me the answer or it's "I don't know."

14 Your speculative thinking is not helpful here, so let me
15 try this again.

16 Ms. Daniels, what were they discussing, what
17 was Molly and Ms. Nomura discussing when you saw
18 Ms. Nomura make the hand gesture?

19 A. They were discussing something that one of
20 dancers said and I don't know exactly what.

21 Q. Okay. Do you know whether or not when the
22 dancer said what she said she made the hand gesture that
23 you just gave?

24 A. No, I did not see the reference.

25 Q. So it wouldn't necessarily be mimicking the

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1 dancer if you don't even know that she made -- that the
2 dancer made that gesture; isn't that right?

3 MR. ZAMBRANO: Argumentative. Vague and
4 ambiguous as asked.

5 Please answer the question.

6 THE WITNESS: As a black woman we know when
7 we're being made fun of and called ghetto. It's
8 something that probably any black woman you'd ever meet
9 could tell you that at some point in her life, if not
10 many, a non-black woman has used those gestures to make
11 fun of her.

12 BY MR. WEINSTEN:

13 Q. By the way, you said "called ghetto."

14 Did Ms. Nomura use the word "ghetto" in the
15 conversation?

16 A. I did not say that.

17 Q. You used the word "ghetto."

18 Did anybody in that conversation accuse anybody
19 being of ghetto?

20 A. "Being of ghetto"?

21 Q. Being ghetto.

22 A. That was the implication.

23 Q. That's the implication, but what were the
24 words? This is your perception of whatever it is.

25 Whether you're being truthful or not, I don't know. All

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1 I can do is tell the jury here is what was said, here's
2 the gesture that was made.

3 Sitting here today all you can tell me is a
4 gesture was made, you don't know what they were talking
5 about, you don't know what they were mimicking, you
6 don't know the context; isn't that right?

7 MR. ZAMBRANO: Vague, ambiguous, compound,
8 overbroad, misstates testimony.

9 Please answer the question.

10 THE WITNESS: That is not what I said.

11 BY MR. WEINSTEN:

12 Q. Okay. How do you know that Ms. Nomura was
13 mimicking a dancer if you don't know what the dancer was
14 doing that they were talking about?

15 MR. ZAMBRANO: Vague and ambiguous,
16 unintelligible as asked.

17 Please answer the question.

18 THE WITNESS: Because this is something that's
19 well documented that are things that people do to make
20 fun of black women.

21 BY MR. WEINSTEN:

22 Q. By the way, have you ever seen white girls,
23 perhaps younger white girls, who make that same gesture
24 to each other in a non-racial way, have you ever seen
25 that?

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1 Q. What was the next time Ms. Nomura mocked the
2 dancers?

3 A. She would make fun of the smell of their
4 costumes and would have her friends in wardrobe and
5 would talk about how this girl smells bad, this girl
6 will have an accident and like soil her costume, and I
7 felt like that was really inappropriate.

8 Q. Okay. Where did that take place?

9 A. In wardrobe.

10 Q. In which wardrobe? There's -- You were in
11 multiple different cities.

12 When you saw Ms. Nomura talking about smelling
13 of the costumes, what city was that in?

14 A. I don't recall.

15 Q. How --

16 And who was she speaking with when that
17 happened?

18 A. I don't recall.

19 Q. Can you --

20 Was it a man or a woman?

21 A. A woman.

22 Q. Okay. What did the woman look like?

23 A. Brown hair. I can't remember the woman's name
24 but she had a friend that worked backstage that often
25 would come into the production room.

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1 Q. And were you part of this conversation?

2 A. No.

3 Q. Where were you when the conversation was going
4 on?

5 A. Working in the room.

6 Q. Were you within hearing distance of the
7 conversation?

8 A. Yes.

9 Q. Okay. Tell me everything that Ms. Nomura said
10 during that conversation.

11 A. I just told you. She made fun of the fact that
12 certain dancers smell bad and she was laughing about how
13 some of them will soil their costumes or have accidents
14 on themselves.

15 Q. Which of the dancers soiled themselves?

16 MR. ZAMBRANO: Calls for speculation.

17 Please answer.

18 THE WITNESS: I'm not sure.

19 BY MR. WEINSTEN:

20 Q. How many of the costumes did she say smelled
21 bad?

22 A. I'm not sure.

23 Q. How long did this conversation last about the
24 smelling of the costumes?

25 A. I don't know if I can put a direct number on

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1 it. It definitely was at least five minutes but --

2 Q. Okay. So --

3 A. -- people often came in and out of that room to
4 have a conversation, pick it back up. It was normal.

5 Q. Okay. So for five minutes she was talking
6 about smelling costumes?

7 A. Not for five minutes but that's how long
8 that would -- people have different topics within a
9 conversation so --

10 Q. Did she pick up any of the costumes and put
11 them in her hands when she was having this conversation?

12 A. No.

13 Q. Were there any costumes near her when she was
14 having the conversation?

15 A. Yes.

16 Q. So she just randomly came out and talked about
17 smelling of the costumes?

18 MR. ZAMBRANO: Calls for speculation.

19 Please answer the question to the extent you
20 know.

21 THE WITNESS: I wasn't part of the lead-up to
22 the conversation so I don't know if I would consider it
23 random or not.

24 BY MR. WEINSTEN:

25 Q. Okay. What was Molly's --

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1 This was with Molly, this conversation --

2 Or you didn't know the woman.

3 A. No.

4 Q. This was the woman with the brown hair.

5 So the woman with the brown hair, what was her
6 response to what Ms. Nomura said?

7 A. Laughing, agreeing with her, making fun of the
8 dancers.

9 Q. What did she say?

10 Did she say anything or just laughed?

11 A. She had a conversation with her but I can't
12 tell you verbatim what she said.

13 Q. Okay. What did --

14 Can you tell me anything Ms. Nomura said other
15 than the -- the -- that the costumes smelled bad and
16 that some of the women would soil themselves?

17 A. Can you say the question again.

18 Q. Other than that the costumes smelled bad and
19 some of the girls would soil themselves, what else did
20 Ms. Nomura say in that conversation?

21 A. I can't give you verbatim quotes, but she was
22 talking about, like, her dislike for the dancers and the
23 fact that some of them were gross.

24 Q. Okay. What did she say to the effect that she
25 disliked dancers?

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1 A. She would say things to insinuate that they
2 were nasty or they didn't have good hygiene.

3 Q. In that conversation?

4 A. Yes.

5 Q. Anything else that you can recall from that
6 conversation where she was talking about smelling of the
7 costumes and dancers soiling themselves?

8 A. Not at the moment.

9 Q. And just to be clear, your insinuation from
10 this because she had an issue with the dancers, it could
11 only be because they were black and had nothing to do
12 with anybody's individual personality or any run-ins she
13 may have had with them, et cetera; is that correct?

14 MR. ZAMBRANO: Hold on.

15 Vague and ambiguous, overbroad as phrased, also
16 -- That's it.

17 Please answer the question.

18 THE WITNESS: I think that that was part of it
19 because these kind of conversations were reserved for
20 the black female performers.

21 BY MR. WEINSTEN:

22 Q. Well, all the female --

23 All of the performers were black; isn't that
24 right?

25 A. That is almost correct. I think Noelle is not

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1 black but most of them are.

2 Q. But she made fun of Noelle too you said.

3 A. I did not say that.

4 Q. Did she make fun of Noelle?

5 A. Not to my knowledge.

6 Q. So --

7 But you didn't know which dancers she was
8 making fun of; is that correct?

9 A. That is correct.

10 Q. Okay. So you have no idea sitting here today
11 if Ms. Nomura's issue was not a race issue but instead
12 she has an issue with people that dance; is that a
13 possibility?

14 MR. ZAMBRANO: Vague and ambiguous, overbroad
15 as asked.

16 Please answer the question.

17 THE WITNESS: Well, Noelle is a woman of color
18 so I don't think that that separates her from receiving
19 racist treatment necessarily.

20 BY MR. WEINSTEN:

21 Q. Okay. But my question -- That's not the point
22 I'm making.

23 You have no idea from that conversation that
24 any of it had to do with race, it could have just as
25 easily been about an issue with dancers and the way they

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1 behave; isn't that right?

2 MR. ZAMBRANO: Same objections.

3 Please answer.

4 THE WITNESS: I don't agree because I have
5 worked with dancers on many different platforms and this
6 is something that I've never witnessed so I do think
7 that this was specific.

8 BY MR. WEINSTEN:

9 Q. But you never met Ms. Nomura before, correct?

10 MR. ZAMBRANO: Vague and ambiguous, lacks
11 foundation.

12 Please answer.

13 BY MR. WEINSTEN:

14 Q. You never met her before on tour, correct?

15 A. I did.

16 Q. You did?

17 A. (Witness nods head.)

18 Q. Okay. After --

19 After the incident with the smelling of the
20 costumes, what was -- was there another incident with
21 Ms. Nomura that you -- that offended you?

22 A. Yes.

23 Q. Okay. What was the next thing?

24 A. And I'll -- I'll say that is -- Conversations
25 like these were normal, so there would be a million

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1 times I'd have to tell you that --

2 Q. Well, we're going to go through all million --

3 A. Yeah.

4 Q. -- so let's just do it.

5 A. Well, I'm --

6 Q. What's the next one?

7 A. And we can.

8 MR. ZAMBRANO: Hold on. Hold on.

9 We're interrupting each other.

10 So what is the question?

11 BY MR. WEINSTEN:

12 Q. By the way, did Amanda help you get the job?

13 A. Amanda asked me to take the job as a favor to
14 her. I did not care --

15 Q. Okay.

16 A. -- to take the job.

17 Q. So at the time she's asking you for the job --
18 to help her and come join the tour, you didn't think she
19 was racist then, right? By the way -- Let me back up.

20 At the time Amanda asked you to come on to the
21 tour, she knew you were black, right?

22 A. Yes.

23 Q. Okay. So you would agree if she had a problem
24 with black people she wouldn't be asking you to come on
25 tour with them, she'd go find a white wardrobe manager;

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1 isn't that a fair statement?

2 A. I don't think it is.

3 Q. Okay. What was the next incident --

4 After the smell of the costumes incident, what
5 was the next thing that Ms. Nomura did that offended
6 you?

7 A. She told me not to talk to Bree Runway's entire
8 team and she told me that I should not defy her or that
9 I could go home.

10 Q. Okay. After that conversation, what was the
11 next thing that Ms. Nomura did that offended you?

12 A. So we would have locals in each city, a small
13 team of usually women that I was in charge of, and some
14 days she would send people home I'm guessing to, you
15 know, kind of have budget cuts and I noticed a pattern
16 that she would regularly send women of color,
17 specifically black women, home. And one instance that
18 stands out to me, there was a young lady who in talking
19 and getting to know her, like, while we were working she
20 let me know that she was in whatever city we were in
21 because she was sex trafficked and that she was rescued
22 from that and now she lives in that city. And so in
23 talking to her I knew that she really needed the money
24 from that day because they're kind of like temp workers,
25 and so when Amanda wanted to send her home I asked her

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1 not to because, A, she was doing an amazing job but also
2 I knew that she needed that money, and Amanda did not
3 care and she sent her home anyway.

4 Q. When you say "send home," does that mean --

5 First of all, you're talking about people that
6 don't work for Big Grrrl Big Touring, these are the
7 locals who come and -- and help out with the shows; is
8 that right?

9 A. Yes.

10 Q. And when you say "send home," they're already
11 home; isn't that right?

12 A. No, not in that sense.

13 Q. Okay. But they --

14 When you say "send them home," what does that
15 mean? That's saying we don't need your services
16 anymore?

17 A. It means that they were promised to have a full
18 day of work with us and sometimes they would get there
19 at the beginning of the day and she would send them
20 home.

21 Q. Okay. How do you know that their job wasn't
22 done at the time that she sent them home?

23 A. Because I was the one in charge of delegating
24 what the work that needed to be done and there was no
25 way to complete the job until after the performance was

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1 done and even more tasks were done after that.

2 Q. Okay. In the time you were there, the three
3 weeks, how many women did -- did Nomura send home as you
4 refer to that term?

5 A. I can't give you an exact number, but it was at
6 least I want to say three.

7 Q. So she sent three people home in three weeks,
8 and of those three how many were black?

9 A. They were all women of color.

10 Q. I'm talking about black.

11 When you say "women of color," what are you
12 referring to?

13 A. I mean non-white women.

14 Q. But what does that mean? Does that mean --

15 A. There was definitely one Indian girl.

16 Q. Okay.

17 A. There was definitely one black girl and I can't
18 recall.

19 Q. By the way, do you refer to Asians as women of
20 color?

21 A. Yes, I do.

22 Q. Okay. So if somebody was A- -- Oh, that's
23 fine.

24 So one of the --

25 So in the three weeks you were there,

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1 Ms. Nomura sent three people home which you considered
2 to be early; is that right?

3 A. I think anyone would. It was -- Yes, it --

4 Q. Okay.

5 A. -- it was obviously early.

6 Q. Okay. And of those three people you believe
7 one was Indian, one was black, and what was the third
8 person?

9 A. I don't recall.

10 Q. And do you --

11 Did Ms. Nomura give a reason for sending these
12 people home?

13 A. She felt like they were dumb and lazy.

14 Q. Okay. Of the three people, what were their
15 jobs? So let's start with the Indian lady.

16 A. So they would all have the same jobs. The team
17 of locals, they would have to get there in the morning,
18 we would start with laundry and then we would sew the
19 fishnet stockings that were busted, which was pretty
20 much a regular occurrence. Instead of buying new ones
21 or using new ones, they would have to hand sew the
22 stockings back together. They would dry the costumes.
23 They would hand wash Lizzo's costumes and fan dry them.
24 If there were any damages, they would fix the damages.
25 They would steam the garments sometimes; sometimes they

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1 would, like, shine the shoes. They --

2 Q. Okay. Who -- You told me enough.

3 Who is it that hired these women? Was it
4 Ms. Nomura?

5 A. I believe -- Don't quote me on it, but I
6 believe the stadium had people that they would assign to
7 the task.

8 Q. So just to be clear, who picks the people?

9 This sounds like all jobs within the wardrobe
10 department. Who was it that said okay, I'll take these
11 people?

12 A. They were assigned I believe.

13 Q. Assigned by whom?

14 A. I'm not exactly sure.

15 Q. And how many of them were there in -- in the
16 three weeks you were there, how many different locals?

17 A. It depends. We'd have a new group in every
18 city and sometimes it would be three women, sometimes it
19 would be four.

20 Q. Okay. And --

21 A. It kind of just depended.

22 Q. And of the three or four women that would be
23 hired in each location, how -- what percentage of those
24 were black?

25 A. I don't think I could give you a percentage.

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1 Sometimes it was all white women, sometimes it was a
2 mix.

3 Q. So is it fair to say that some black women
4 weren't sent home?

5 A. Yes.

6 Q. Okay. Would you say that the percentage of
7 black women that were not sent home was bigger than the
8 percentage of women that were sent home?

9 A. I don't think I could give you a fair answer
10 because I'm not looking at those statistics.

11 Q. But you are because you're the one who's saying
12 that that's a racist move, aren't you?

13 MR. ZAMBRANO: Hold on.

14 Argumentative, vague and ambiguous, misstates
15 testimony.

16 Please answer the question.

17 THE WITNESS: I think that compounded with the
18 fact that she would refer to these women as dumb and
19 lazy is what makes it racist.

20 BY MR. WEINSTEN:

21 Q. Okay. So just to be clear, there were over
22 nine cities that you worked in; isn't that right?

23 A. I'm not sure of the exact number.

24 Q. It's approximately nine.

25 Well, let me just go through them with you.

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1 Oslo is one; is that right? You went to Oslo?

2 A. Yes, but I cannot confirm every city because I
3 did not know.

4 Q. Well, you -- you were there, weren't you?

5 A. I was there.

6 Q. Okay. So you were in Oslo, right?

7 A. I for sure was in Oslo.

8 Q. You were in Copenhagen, right?

9 A. I believe so.

10 Q. You were in Hamburg, right?

11 A. Yes.

12 Q. You were in Amsterdam, right?

13 A. Yes.

14 Q. You were in Antwerp, right?

15 A. I believe so.

16 Q. And you went to Cologne?

17 A. I believe so.

18 Q. You went to Berlin?

19 A. I believe so.

20 Q. You went to Milan?

21 A. I believe so.

22 Q. You went to Zurich?

23 A. I'm not sure.

24 Q. Okay. Well, Zurich was before Paris.

25 Did you leave before Zurich or after Zurich?

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1 A. I left when we were in Paris.

2 Q. Okay. So that's ten cities that you were in,
3 multiplied by three, so you believe there were
4 approximately by your estimate somewhere more -- upwards
5 of 30 people that were brought in to do these tasks
6 within wardrobe that are locals, correct?

7 MR. ZAMBRANO: Misstates testimony.

8 Please answer the question.

9 BY MR. WEINSTEN:

10 Q. You can answer.

11 A. Can you ask the question again.

12 Q. Am I correct you were in ten cities, you
13 testified that it was approximately three or four locals
14 that were hired for wardrobe in each city, that would be
15 over 30 people that were hired in the time you were
16 there; is that correct?

17 A. That's correct.

18 Q. And of those 30, three of them, two who were
19 black, one who was Indian, were sent home, correct?

20 A. That is correct.

21 Q. And according to Ms. Nomura they were lazy --
22 is that correct? -- they weren't doing their job?

23 A. Yes, but that was not true.

24 Q. Okay. In your view.

25 Were you with these people the entire time they

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1 were there?

2 A. More or less.

3 Q. Is it possible that maybe Ms. Nomura has higher
4 standards than you do?

5 MR. ZAMBRANO: Argumentative, vague and
6 ambiguous.

7 Please answer.

8 THE WITNESS: Not possible.

9 BY MR. WEINSTEN:

10 Q. Let me ask you: Did Ms. Nomura ever call you
11 lazy?

12 A. No.

13 Q. Okay. Did she call anybody lazy other than
14 these three locals who out of the 30-plus people that
15 were hired during the time you were there --

16 MR. ZAMBRANO: Assumes --

17 BY MR. WEINSTEN:

18 Q. -- did she call anybody else lazy?

19 MR. ZAMBRANO: Assumes facts.

20 Please answer.

21 THE WITNESS: She probably did.

22 BY MR. WEINSTEN:

23 Q. No. I mean to you. You said "probably." I
24 want to know did you. I'm not having you speculate as
25 to what she may or may not have done.

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1 Other than these three people, did you
2 personally witness her call anybody else lazy?

3 MR. ZAMBRANO: Hold on. Misstates evidence.
4 Please answer the question.

5 THE WITNESS: That is what I remember right
6 now.

7 BY MR. WEINSTEN:

8 Q. Just the three, correct?

9 A. Today right now, that is what I remember.

10 Q. Okay.

11 Okay. What's the next thing that you recall
12 Ms. Nomura doing that you found -- saying or doing that
13 you found to be offensive?

14 A. One day I had two young ladies that were
15 locals, they got in, and we didn't have our cases yet so
16 there wasn't work to be done because everything we
17 needed to do were in the cases so they hadn't been
18 delivered yet or taken off of the truck, and so I told
19 them since it was my job to delegate and be responsible
20 for them that they should go take a break, get some
21 food. That was a regular occurrence, locals at every
22 city regularly ate food, they were sent home with food.
23 It was like a normal thing. And so I did, and these two
24 young women came back pretty upset and told me that
25 Amanda had confronted them and yelled at them in the

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1 cafeteria and that she had snatched the food out of one
2 of the young woman's hands and told them that they could
3 not be eating the food and that they could not be on
4 break.

5 Q. Okay. Were these women black?

6 A. No. These were two young white women.

7 Q. Okay. So this is not part of your claim, then,
8 because this is not -- you're not saying she's racist
9 against whites, right?

10 A. No, I'm not.

11 Q. Okay. So is this --

12 This is not part of your claim for hostile work
13 environment and sexual harassment, race -- race
14 discrimination, all that; is that right? This is --

15 A. I --

16 Q. -- just a thing that upset you that Ms. Nomura
17 did?

18 A. That is the definition of a hostile work
19 environment.

20 Q. Okay. But it's not -- this is not one that you
21 believe was racially motivated or sexually charged; is
22 that right?

23 A. That is correct.

24 Q. Okay.

25 Okay. What was the next thing you did -- that

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1 Ms. Nomura did --

2 By the way, what city did that happen in?

3 A. I'm not sure.

4 Q. What was the next thing that Ms. Nomura did
5 that you found to be offensive?

6 A. So at a certain -- Oh, there was a time that we
7 got on the bus pretty late after the performance had
8 happened -- I'm not sure what city -- and she took me in
9 a private area to yell at me, and I was so upset that I
10 left our conversation crying. And people on the bus
11 were, like, "What was that about? We heard her yelling
12 at you. Are you okay?" And so this was kind of, like,
13 the beginning of me starting to tell people what was
14 going on because they could kind of tell from my body
15 language and her body language that something was
16 happening but they weren't exactly sure what. And I
17 told both Maureen and Kyle about it specifically and
18 they were pretty upset and Maureen told me that she has
19 black people in her family and she said this is racist
20 and there's no way she would stand for it. And Kyle --

21 Q. Who --

22 Who is Maureen?

23 A. Maureen was the woman we talked about earlier
24 that I believe was in Ambiance.

25 Q. Okay. What did Ms. --

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1 By the way, what city were you in when this
2 occurred?

3 A. I'm not sure.

4 Q. How early into the tour was it or early or
5 late?

6 A. Somewhere in the middle. I'm not exactly sure.

7 Q. Okay. So you're saying that Ms. Nomura took
8 you off the bus.

9 Were you actually on the bus?

10 A. No. This happened while we were on the bus.

11 Q. While you were on the bus?

12 A. Yes.

13 Q. Okay. Where were you when this argument --
14 when this discussion occurred?

15 A. In the back area.

16 Q. Who else was there?

17 A. Just me and her.

18 Q. But everybody could hear because based on your
19 own testimony, everybody could hear everything on the
20 bus, right?

21 A. That is correct.

22 Q. How many people on the bus at the time?

23 A. And I won't say that -- Sorry. I wasn't done
24 with my answer.

25 MR. ZAMBRANO: Okay. Go ahead.

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1 BY MR. WEINSTEN:

2 Q. You can go ahead.

3 A. So I won't say that everybody heard everything
4 that was being said but I know that they heard her
5 yelling at me.

6 Q. Okay. And what did Ms. Nomura yell at you
7 about?

8 A. She was yelling at me about the fact that my
9 walkie-talkie got misplaced and I went and asked Dulce
10 about it and she was upset with me for talking to
11 someone outside of her.

12 Q. Anything else?

13 A. That was the gist of the conversation.

14 Q. Was Ms. Nomura upset that you lost your
15 walkie-talkie?

16 A. Yes. She was irate.

17 Q. Are you --

18 Are there any -- Well, strike that.

19 Okay. What's the next incident or either
20 comment or thing that Ms. Nomura did that you found to
21 be offensive?

22 A. So after my initial conversation with Carlina
23 to let her know what was going on, the fact that I was
24 injured, the fact that I was being bullied and harassed,
25 I -- like I said, I wasn't really sure who I could trust

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1 or what people's relationships were but I went out on a
2 limb and talked to her because Kyle made the connection
3 for me, and after I talked to her I asked her, "Can you,
4 you know, talk to Amanda in a way that this won't
5 escalate and she won't be even worse to me?"

6 And she said, "Absolutely, for sure."

7 And of course she talks to Amanda, Amanda comes
8 back and she is upset with me and she yells at me again.

9 Q. Okay. So you're saying at some later point she
10 yelled at you again.

11 What did she --

12 What did she say? Why was she yelling at you?

13 A. She was yelling at me for, quote, unquote,
14 going over her head and talking to Carlina about the
15 abuse that I had suffered and the injury that I had
16 suffered.

17 Q. Okay. Did she say anything else?

18 A. She told me that she wanted me to go home.

19 Q. And what did you say?

20 A. I told her that I wasn't going to go home and
21 that I had cleared my schedule to be here and I'm not
22 someone who is just going to go home and that I was -- I
23 planned on staying.

24 Q. Okay. Did --

25 Was anything else discussed between you and

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1 Ms. Nomura on that ins- -- instance?

2 A. I'm sure but that is the main conversation that
3 I can recall right now.

4 Q. Okay. What -- What's the next --

5 Is there another incident -- I'm sorry.

6 Did Ms. Nomura say anything else that you found
7 to be offensive or did she do anything else that you
8 found to be offensive?

9 A. Yes.

10 Q. What was the next thing?

11 A. So I accidentally broke my phone, and this
12 isn't necessarily the next thing. Things are just
13 coming back to me. And, like I said, there's a lot of
14 them. But I accidentally broke my phone pretty early on
15 in February, and she was upset with me for the fact that
16 I had broken my phone.

17 Q. Okay.

18 A. And so she -- In our conversation about it she
19 once again, like, threatened me about I could get left
20 in the middle of nowhere and that I, you know, better
21 stay on the premises.

22 Q. She was saying that in the context because you
23 didn't have a phone so you need to stay close; isn't
24 that what she's saying?

25 A. No. In the beginning when I still had my

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1 phone, she was very clear that I was not allowed to
2 go -- She didn't want me to make any moves unless I have
3 asked her first and I was not allowed to go off of the
4 premises to seek medical -- medical attention or anything.

5 Q. What is the next incident that you recall with
6 respect to Ms. Nomura, either something she said to you
7 or something she did?

8 A. She called Bree Runway a bitch.

9 Q. I'm sorry. Who?

10 A. Bree Runway, the opening act.

11 Q. Is Bree Runway an individual?

12 A. Yes.

13 Q. And she said she was a bitch. In what context?
14 What did she say?

15 A. So we oftentimes got placed close to Bree
16 Runway's team. It would vary. And seeing Bree Runway,
17 her dancers and her tour manager, just -- just the sight
18 of them upset Amanda, and so oftentimes she would come
19 back in the room after running into them in the hall and
20 she would just go on a tirade about how she didn't like
21 them, they're bitches, she wants them off tour.

22 Q. Well, you -- you had no personal knowledge, do
23 you, as to any issues that may have arisen between
24 Ms. Nomura and Bree Runway? You weren't with the two of
25 them the entire time, correct?

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1 A. That is correct.

2 Q. So you don't know if something happened between
3 the two of them that could have made Ms. Nomura have an
4 issue with Ms. Runway; isn't that right?

5 A. I don't think anything should have resulted in
6 her calling her a bitch or talking about her in a
7 derogatory way.

8 Q. How do you know if you're not with the two of
9 them the whole time?

10 You have no idea what's going on between the
11 two of them, so how do you know how one should behave
12 towards the other?

13 A. Because I --

14 MR. ZAMBRANO: Hold on. Hold on. Let me get
15 an objection in.

16 So it's vague and ambiguous, overbroad and
17 misstates the testimony.

18 Please answer the question.

19 THE WITNESS: I've worked in a lot of
20 high-pressure work environments and as a black woman I'm
21 not allowed to get out of pocket, to call people names,
22 to laugh in people's faces, to do anything
23 disrespectful, I have to handle it with a lot more grace
24 and couth, and there should be no work environment,
25 nothing that anyone can do to make you call them out of

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1 their name.

2 BY MR. WEINSTEN:

3 Q. Okay. So it's your opinion that no one should
4 ever call anyone a bitch period; is that your testimony?

5 A. I'm saying that's inappropriate for the
6 workspace.

7 Q. And by the way, Bree Runway didn't work for Big
8 Grrrl Big Touring; isn't that right?

9 A. I don't know the details of her contract.

10 Q. Well, there's no workplace when you have an
11 opening act and a separate act, they're not -- they
12 don't work for Big Grrrl Big Touring. So if Ms. Nomura
13 is calling someone at the other -- in the other band or
14 dancing group, whatever -- I don't know what Bree Runway
15 does -- but calls them -- has an issue with them, that's
16 not a workplace thing, is it, that's somebody has an
17 issue with the warm-up band; isn't that right?

18 MR. ZAMBRANO: Assumes facts --

19 MR. WEINSTEN: I -- I'll withdraw that. That
20 was a long-winded question so I will move on.

21 Q. Okay. Other than calling Bree Runway a bitch,
22 do you recall anything else that Ms. Nomura said or did
23 that you found to be offensive?

24 A. Yes.

25 Q. Okay. What's the next one?

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1 A. The woman that I mentioned earlier with brown
2 hair who was her friend, there was a situation where
3 Amanda was threatening to quit the tour, and I believe
4 that's in the evidence that we've submitted -- Excuse
5 me -- and Amanda pushed her friend and it was a big
6 thing, and Amanda came back and this was one of the few
7 times that she actually confided in me and was, like,
8 "Oh, she's so dramatic," like, you know.

9 And I was, like, "I understand that you're
10 upset but you really should not put hands on anyone.
11 You also pushed me." And I found it offensive that she
12 thought it was appropriate workplace behavior to put her
13 hands on yet another woman.

14 Q. By the way, is -- is Amanda -- I'm sorry, not
15 Amanda.

16 The woman that you mentioned that Amanda
17 pushed, is she black?

18 A. No.

19 Q. So this was not a racial thing, this is just
20 she pushed somebody?

21 A. The only -- I would say the -- Amanda did a lot
22 of things that were racist but she also did a lot of
23 abusive things to people that had nothing to do with
24 race.

25 Q. Okay. But my question: This instance is not a

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1 race instance, correct?

2 A. No.

3 Q. And you have no idea what the argument was
4 about or whether there was even an argument that
5 preceded the pushing; is that right?

6 A. I do know what the argument was about.

7 Q. What was the argument about?

8 A. Amanda told her that she wanted to quit and she
9 told someone else. So I told you things travel quickly
10 and there's like a lot of things that people share and
11 then it will get to the next group, the next group. So
12 it got back to Amanda that her friend had told other
13 people that she wanted to quit, and so she confronted
14 her and she pushed her.

15 Q. And did Amanda -- I'm sorry.

16 Did this woman have any injuries?

17 A. I know that she was hurt from being pushed but
18 I could not speak specifically to what injuries.

19 Q. Did you witness the pushing?

20 A. No.

21 Q. So it's all hearsay based on what this other
22 person told you, correct?

23 A. Based on what Amanda told me and what the other
24 person told me.

25 Q. What did Amanda tell you?

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1 A. That she pushed her.

2 Q. Okay. What's the next -- next thing that you
3 believe Ms. Nomura did that was either -- that she said
4 or did that you believe to be offensive?

5 A. So while I was dealing with my injury, my
6 swollen, injured ankle and foot, I had to wear Crocs,
7 hard-toed Crocs that have, like, the sport mode strap.
8 And when we had a conversation about what to expect,
9 what to bring, what to be prepared for before I ever
10 even got on the plane to go on tour, I asked her to give
11 me everything to expect -- I'm someone who likes to be
12 prepared, I'm organized -- and she never mentioned to me
13 any rule about shoes.

14 And so when I injured my ankle I began wearing
15 the Crocs and then all of a sudden she said, "You're not
16 allowed to wear those," and she knew why I was wearing
17 those, it's because the only gym shoes I had were tight
18 and they weren't lace-up so there was, like, no way to
19 make them, you know, bigger, more comfortable, and so I
20 told her that, and she said, oh, it's like some rule,
21 code for backstage and I told her, like, you're putting
22 me in an impossible situation, there's no doctor I can
23 see, there's no medical aid that I can get and I
24 literally can't fit my ankle comfortably into the only
25 gym shoes I had.

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1 THE WITNESS: I wasn't.

2 MR. ZAMBRANO: Okay.

3 BY MR. WEINSTEN:

4 Q. You can continue.

5 A. There were certain times where my ankle was so
6 bad that I could not fit it comfortably into those
7 shoes, so there was basically nothing else I could do.

8 Q. But, in fact, you were told on the first day
9 you were not supposed to be wearing the Crocs, you were
10 supposed to be wearing special shoes as part of the
11 requirements of the job; isn't that right?

12 A. I don't believe so, but, like I said, in
13 preparation of everything that I needed to bring, that
14 was never told to me. So by the time I was overseas and
15 not allowed to leave the premises, there would be no way
16 that I could make changes to what I was told to bring.

17 Q. Did you ever ask anybody to be able to leave
18 the premises so you could purchase proper shoes?

19 A. I don't know if I can recall right now. That
20 sounds like something that I probably did have a
21 conversation about but I can't fully recall.

22 Q. All right. Here's exhibit -- I'm introducing
23 Exhibit 7 which was a -- a -- I guess it purports to be
24 a reminder from Dulce Martin dated February 20, 2023 and
25 it states to undisclosed recipients.

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1 (Deposition Exhibit 7 was marked.)

2 BY MR. WEINSTEN:

3 Q. You were one of the recipients here, correct?

4 A. I believe so.

5 Q. And it says here:

6 "This is a friendly reminder that

7 everyone needs to wear their PPE while

8 loading in if you're on the floor -

9 that means steel toes and hard hats."

10 Do you see that?

11 A. Yes.

12 Q. And you were told, by the way, on multiple
13 occasions you need to have proper footwear, both before
14 and after you injured your ankle; isn't that right?

15 A. That is not correct.

16 Q. When --

17 What --

18 Which part of that is not correct?

19 A. I was not told that I needed those shoes before
20 I was injured.

21 Q. So you're telling me when you showed up on day
22 one nobody told you you can't wear the Crocs?

23 A. I don't believe so.

24 Q. Okay. In fact --

25 Okay. What was the next thing that Ms. Nomura

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1 did that you found -- did or said that you found to be
2 offensive?

3 A. So she would regularly make fun of a lot of
4 people. Dulce, now that we're talking about her, is one
5 of the people that she called a bitch and didn't like
6 and was very vocal about it.

7 Q. Is Dulce black?

8 A. I'm not sure what Dulce's race is.

9 Q. Okay. Anybody else?

10 What was the next thing that you recall
11 Ms. Nomura doing or saying that you found to either be
12 offensive or -- that you found to be offensive?

13 A. So she had quite a few conversations about
14 Lizzo that I thought were offensive. I know I have
15 touched on some of those conversations before, but she
16 often had conversations about Lizzo saying that Lizzo
17 was jealous of her, that Lizzo's boyfriend wanted to get
18 with her and that upset Lizzo. Her and some of the
19 other women would come in wardrobe and they would say
20 that Lizzo can't dance or that she --

21 Q. I'm sorry. Just to be clear, when you say
22 Lizzo -- Lizzo's boyfriend wanted to get with her, who
23 are you talking about? Nomura?

24 A. Yes, she would say that Lizzo's boyfriend
25 wanted to get with her, he was, like, looking her up and

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1 down in a sexual way.

2 Q. Okay. What else did she say about Lizzo?

3 A. She said Lizzo can't dance. She said she
4 couldn't sing. She said that she was fake. And there
5 were -- So they would bring back conversations that
6 involve Lizzo to talk about.

7 Q. I'm sorry. Say that last part.

8 A. They would bring back conversations of, like,
9 things Lizzo said, like they'd come back in the room
10 and --

11 Q. Who's "they"?

12 A. Amanda and, like, any number of her friends, so
13 sometimes it was Molly, sometimes it was the woman --
14 the brunette woman that I can't recall her name.

15 Q. Okay. Are these conver- --

16 Just to be clear, I'm asking the conversations
17 that you had. So the conversations that you --

18 THE COURT REPORTER: I'm sorry. "I'm asking
19 about conversations" or "I'm not" -- that you --

20 BY MR. WEINSTEN:

21 Q. No, I'm saying I'm asking about conversations
22 that you had with Ms. Nomura.

23 So you said that Ms. Nomura told you that Lizzo
24 was jealous of her, correct?

25 A. That is correct.

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1 Q. And that Lizzo's boyfriend wanted to get with
2 her, correct?

3 A. That is correct.

4 Q. And she told you that Lizzo can't dance; is
5 that right?

6 A. That is correct.

7 Q. And she told you that Lizzo can't sing; is that
8 correct?

9 A. That is correct.

10 Q. And she told you that Lizzo is fake, correct?

11 A. That is correct.

12 Q. Okay. Did she say anything else to you about
13 Lizzo?

14 A. Yes.

15 Q. Okay. What else did she say to you about
16 Lizzo?

17 A. She said that Lizzo would -- This was something
18 that was shocking to me, but she said that Lizzo would
19 talk about, like, women that we see as like black heros,
20 like Beyonce, Megan Thee Stallion, Janet Jackson, and
21 she would call them racial slurs and talk about them in
22 a derogatory way.

23 Q. Who would call them racial slurs?

24 A. Lizzo.

25 Q. Okay. And what else --

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1 Did she say anything --

2 Did Ms. Nomura say anything else to you about

3 Lizzo?

4 A. She would complain that Lizzo was hard to work
5 with, hard to satisfy, demanding. So sometimes she
6 would go and have a fitting with Lizzo and she'd come
7 back, one of the other rare times that she would confide
8 in me, and just be, like, you know, "I can't do anything
9 to please her, like she's impossible to work with."

10 Q. Okay. Anything else that she said to you about
11 Lizzo?

12 A. Not that I can recall at the moment.

13 Q. Is there anything that you can think of that
14 might refresh your recollection? We have all your
15 documents. I'm happy to show you your documents if
16 anything else can refresh your recollection.

17 A. Well, these would be conversations we'd have in
18 person, so I think I would just have to think about it,
19 like even in this conversation certain things have come
20 up that I had forgotten about so --

21 Q. Okay. Other than the things you just described
22 that she said about Lizzo, is there anything else that
23 Ms. Nomura did that you found to be either -- did or
24 said that you found to be offensive?

25 A. Yes.

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1 Q. What else?

2 A. There was one stop where we had a group of
3 older very sweet women but none of them were young and
4 she was really irritated with them moving slow, just
5 with their inability to kind of go as quickly as we
6 normally went when we would have younger people and that
7 felt offensive to me as well.

8 Q. Were these older women black?

9 A. No. These were white older women.

10 Q. Anything else that you can recall that
11 Ms. Nomura did or said that you found to be offensive?

12 A. Yes.

13 Q. Okay. What else?

14 A. Once she got to a certain level of being so
15 irate that I talked to Carlina, she yelled at me and
16 said that I was not to talk to Carlina anymore and that
17 she wanted me off the tour and that she was going to
18 work on finding my replacement and she would say "Just
19 go home now."

20 Q. Okay. Anything else?

21 A. Yes. One time she apologized to me for her
22 poor behavior and abusive behavior and told me that she
23 couldn't have gotten through the workdays without me and
24 that I was doing a good job and she -- like I said
25 earlier, I knew that she was on some type of mood

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1 found that offensive.")

2 BY MR. WEINSTEN:

3 Q. Okay. When you say "alcohol," you're talking
4 about like beer or wine or something like that?

5 A. I believe it was vodka.

6 Q. Okay. She would drink from the vodka bottle
7 that was used to get stains out?

8 A. Yes.

9 Q. And was there --

10 She would drink vodka from the vodka bottle or
11 drink water from the vodka bottle or something else?

12 A. Vodka.

13 Q. Okay. So were you offended that she would
14 drink vodka?

15 A. It was inappropriate for the workplace.

16 Q. Okay.

17 Okay. Anything else?

18 A. Yes.

19 Q. What else?

20 A. At a certain point because she knew that I had
21 designed some of the work that the dancers were still
22 wearing, she asked me -- I think it was our first off
23 day, I believe, when we were finally getting a hotel and
24 a proper bed, and so she met with me after we had
25 checked into the hotel and asked me to basically stay up

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1 were stealing designs from someone else so she wasn't
2 going to use your designs, you understand that's her
3 position, right?

4 A. That is an outright lie.

5 Q. Okay. That's my next question: Do you have
6 pictures of those designs that you say you created to
7 give to Ms. Nomura to use on tour?

8 A. I believe I submitted them in evidence.

9 MR. WEINSTEN: Do you have those?

10 MS. LERNER: I'll take a look.

11 BY MR. WEINSTEN:

12 Q. In fact, the designs you submitted were stolen
13 from Cardi B -- isn't that right? -- from Cardi B's
14 tour?

15 A. That is not correct.

16 Q. Are you sure about that?

17 A. I'm positive.

18 Q. Okay. Did you ever work for Cardi B?

19 A. No.

20 Q. By the way, you -- Actually I will come back to
21 that.

22 Okay. Anything else that Ms. Nomura did that
23 you found to be offensive?

24 A. Yes.

25 Q. What else?

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1 A. On -- So I obviously had been injured. I had
2 had other moments where I didn't feel great and I still
3 showed up to work. And I guess I can say like blanket
4 statement it was offensive to me that other people that
5 were on tour, their workdays looked a lot different and
6 our workdays were harsh by choice. So other people who
7 worked on tour, they would take time in the middle of
8 the day to go take a nap when they needed to because we
9 weren't getting long hours to sleep on the tour bus and
10 they took their breaks, they could eat breakfast, lunch,
11 dinner, they had places to sit because it was a long day
12 and that was not my reality, and so I guess I can say,
13 like, blanket statement when I realized that I was being
14 worked this hard in a really unnecessary way I found
15 that to be offensive.

16 Q. So you didn't want to work hard?

17 A. I -- That's --

18 MR. ZAMBRANO: Hold on. Hold on.

19 THE WITNESS: All I do is work hard.

20 BY MR. WEINSTEN:

21 Q. I'm sorry. You didn't want to work as hard as
22 you were being asked to work? Is that --

23 MR. ZAMBRANO: Misstates -- I'm sorry. Are you
24 done with your question?

25 MR. WEINSTEN: I'll withdraw the question. I

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1 BY MR. WEINSTEN:

2 Q. Did you design for Lizzo's outfit?

3 A. What's the question?

4 Q. Did you design Lizzo's outfit for --

5 You said there were two -- one that Mondo did,
6 one that you did.

7 Did you design the one for Lizzo?

8 A. So the question is confusing because we're
9 talking about two different things.

10 Q. Okay. I'll come back to it. It's later in my
11 outline.

12 Okay. Anything --

13 Prior to the break we were talking about things
14 you believe Amanda Nomura said that were offensive --
15 either said or did that were offensive to you.

16 Do you have anything else to add?

17 A. Yes.

18 Q. Okay. What else?

19 A. So I was -- And once again, I don't know if
20 "offended" is the proper word for this, but I had
21 extensive conversations with Amanda before going on tour
22 to know exactly what -- what was expected of me, what
23 the work environment looked like, and there were several
24 major things that she swore to me would not be expected
25 of me or the case, and once I got there there was a

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1 total bait and switch. So one of those things was that
2 I would not be expected to carry or move any heavy
3 equipment things. I told her that wasn't something I
4 was interested in doing, and she said, "Don't worry. We
5 don't do that." And once I got there pretty much every
6 time we moved I was forced to do that moving.

7 Q. Okay. Anything else?

8 A. Yes.

9 Q. Anything else that Ms. Nomura did or said to
10 you that you found to be offensive in the three whole
11 weeks that you were on this tour?

12 A. Yes.

13 Q. Okay. What else?

14 A. I was regularly denied taking breaks, sometimes
15 bathroom breaks, often food breaks, breaks to just
16 relax. I was not allowed to go and take a nap when I
17 was running low on sleep after I had gotten my work
18 done. I didn't really have, like, agency over my own
19 body and even, like, something as simple as taking a
20 shower, I didn't have privacy to take a shower and have
21 that alone time.

22 Q. That claim has been thrown out of the case by
23 the judge, so I'll -- I'll move on to the next one.

24 Anything else that Ms. Nomura did that you
25 found to be offensive, did or say?

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1 A. Yes.

2 Q. All right. What else?

3 A. I can't recall if I've said it already, but
4 Amanda commented on my looks and the way that I dressed
5 and told me that I needed to tone it down and not wear
6 makeup, not wear nice clothes.

7 Q. Anything else that Ms. Nomura did or said that
8 you found to be offensive?

9 A. Yes.

10 Q. What else?

11 A. I'm sorry.

12 Ron, can we take another break? I'm not
13 feeling great. But there's more things. I just -- I
14 need a second.

15 Q. Well, I'm not going to have you go get coached.
16 You either remember or you don't.

17 Do you have anything else?

18 A. I do remember but I'm -- I'm not feeling great.

19 MR. ZAMBRANO: Okay. Can we take --

20 MR. WEINSTEN: Well, I just don't want her to
21 go be coached right now. It's like you either remember
22 or you don't. Your lawyer is not there to tell you. I
23 mean, I assume you've made up half of this stuff you've
24 already testified about.

25 MR. ZAMBRANO: All right. So we'll take a

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DECLARATION UNDER PENALTY OF PERJURY

I, ASHA DANIELS, do hereby certify
under penalty of perjury that I have read the foregoing
transcript of my deposition taken on JUNE 2, 2025;
that I have made such corrections as appear noted on the
deposition errata page, attached hereto, signed by me;
that my testimony as contained herein, as corrected, is
true and correct.

Dated this _____ day of _____,
20____, at _____, _____.
(City) (state)

ASHA DANIELS

Asha Daniels

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Asha Daniels

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REPORTER'S CERTIFICATE

I, PAMELA A. STITT, a Certified Shorthand Reporter, do hereby certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

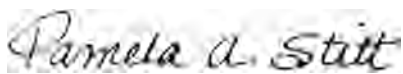
That a review of the transcript by the deponent was requested;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

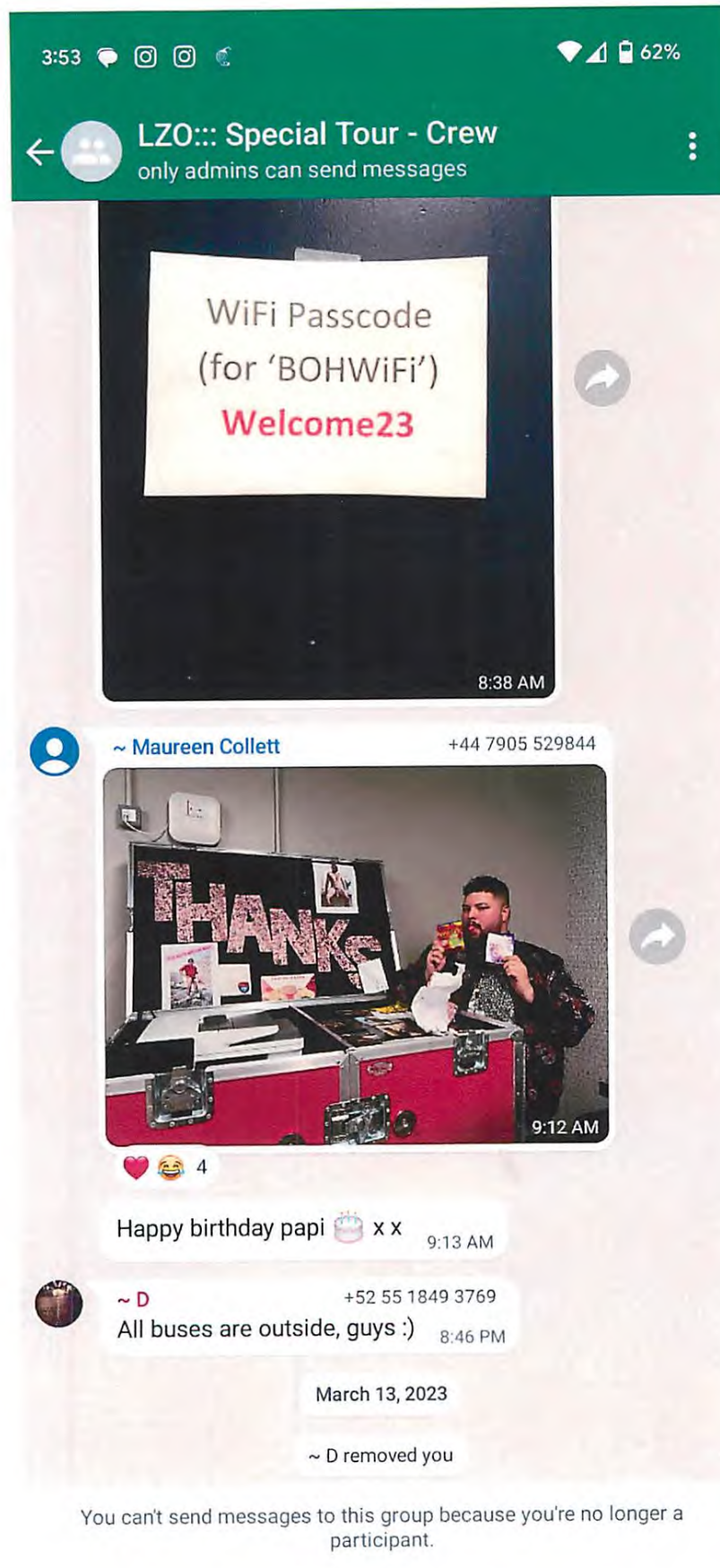
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 16th day of January, 2025.



PAMELA A. STITT
CSR No. 6027

EXHIBIT 4



DAN 000032

EXHIBIT 5

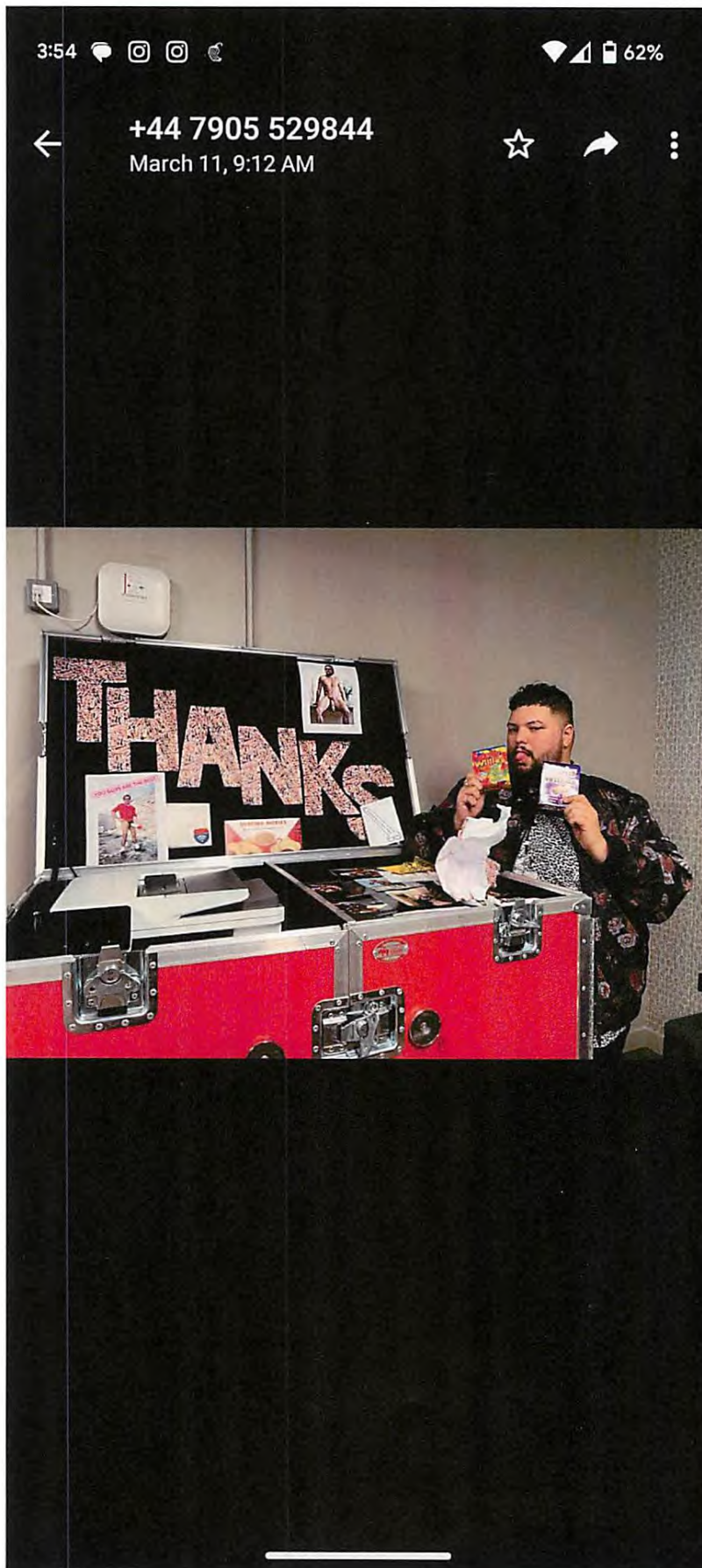


EXHIBIT 3
WIT: Daniels-Vol.1
DATE: 6-2-2025
Pamela A. Stitt, CSR

DAN 000033

EXHIBIT 6

E-File for Attorneys Information

EEOC Charge Number: 530-2024-02044

Date: 12/20/2023

Verified Path

Receiving Office: Philadelphia District Office

Attorney Information

Name: Ronald L. Zambrano

Pronouns: He/Him

Address: 1147 S. Hope Street

Los Angeles, CA 90015

Email Address: ron@westcoasttriallawyers.com

Login.gov Email Address: ron@westcoasttriallawyers.com

Primary Phone: 213-927-3700

Secondary Phone: 213-797-5531

Fax: 213-927-3701

Language Needs:

Disability Needs:

Bar Number: 255613

Bar Jurisdiction: California

Client Information

Name: Ms. Asha Daniels

Pronouns: She/Her

Address: 61 Malcolm X Blvd #1B

Brooklyn, NY 11221

Email Address: ashaamadaniels@gmail.com

Primary Phone: 513-370-7881

Secondary Phone:

Date of Birth:

Gender: Female

Disability: No

Hispanic or Latino: No

Race: Black or African American

Ethnicity/National Origin Group: Unavailable

Ethnicity/National Origin: Unable to Obtain Information from Charging Party

Language Needs:

Disability Needs:

Respondent Information

Name: Big Grrrl Big Touring, Inc.

Address: 1013 Centre Road Suite 403s

Elsmere, DE 19805

Primary Phone: 888-400-6650

Fax:



DAN 000052

Institution Type: Private Employer
Number of Employees: 15 - 100 Employees

North American Industry Classification System (NAICS) Code:
Tax Identification Number:

Worksite Address:
1013 Centre Road, Suite 403s, Elsmere, DE, 19805

Service Address: 1013 Centre Road, Elsmere, DE, 19805

Allegation Information

Allegations: Disability, Race, Retaliation, Sex

Additional Information

Class: I dont know

Policy: I dont know

Related Inquiries/Charge: I dont know

Related Lawsuit: Yes

I filed on Ms. Daniel's behalf asserting claims under California's Fair Employment and Housing Act. Los Angeles Superior Court Case No. 23SMCV04465. Case is still pending.

Requested Immediate Notice of Right to Sue: Yes

Requested Mediation: N/A

DAN 000053

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
E-FILE FOR ATTORNEYS**

RE: EEOC Charge No. 530-2024-02044

1. I acknowledge that I am submitting a charge of discrimination with the EEOC on behalf of Ms. Asha Daniels against Big Grrrl Big Touring, Inc..
2. I acknowledge that the EEOC is required to serve notice of the charge on Big Grrrl Big Touring, Inc., and that the notice may include Ms. Asha Daniels's name or other identifying information.
3. I certify that (1) I am an attorney licensed to practice law, (2) I represent Ms. Asha Daniels, (3) this client has authorized me to submit this charge, and (4) the information I am providing is true and correct to the best of my knowledge.

Signature

Ronald Zambrar

Ronald L Zambrano

Date

12/20/2023

DAN 000054

DECLARATION OF ASHA DANIELS

1. I, Asha Daniels, declare as follows:
2. In or about September 2022, Plaintiff designed custom pieces for the dancers on LIZZO's tour.
3. In or about January of 2023, Defendant NOMURA contacted Plaintiff and requested that Plaintiff join LIZZO's tour. NOMURA was LIZZO's Wardrobe Manager and was Plaintiff's primary point of contact representing LIZZO's management team. Since Plaintiff designed custom pieces for the tour, NOMURA reasoned Plaintiff would be the best individual to assure the dancers' clothing is altered and repaired correctly during the tour. Plaintiff rearranged her schedule, canceling her fashion show and missing out on other work opportunities to accept joining LIZZO's tour as a favor to NOMURA.
4. Plaintiff was looking forward to working with LIZZO and her team because of the values LIZZO portrays in public, i.e., a healthy, diverse environment with virtues of respect and empowerment of women. Unfortunately, the opposite turned out to be true. Plaintiff believes the following experiences of degradation, forced physical labor, denial of medical care, sexual harassment, and racial harassment were allowed to take place by LIZZO's management without consequence because she is a Black woman.
5. On or about February 14, 2023, Plaintiff began working on LIZZO's tour. Plaintiff reported to NOMURA, who was Plaintiff's supervisor for the entirety of her employment with LIZZO's tour.
6. The disappointing reality of working on LIZZO's tour sunk in at the get-go. Plaintiff often worked seven (7) days a week, from approximately 6:00 a.m. to 2:00 a.m., and was frequently denied breaks by NOMURA. Plaintiff's movement and communication with others were constantly monitored and policed by NOMURA. Even during the rare, designated days off, Plaintiff was pressured to always be on her feet and available to work while she was on the tour. Plaintiff is informed and believes this directive came from LIZZO's management.
7. Adding to the uncomfortable environment of LIZZO's tour, Plaintiff was specifically instructed to never interact with LIZZO herself because LIZZO would be jealous. Plaintiff was instructed to "tone it down" if she was ever to interact with LIZZO - specifically referencing not to dress attractively in front of LIZZO. NOMURA shared that one time LIZZO was bothered NOMURA was seen by LIZZO's boyfriend, and became very upset and jealous towards NOMURA. NOMURA explained that LIZZO would get upset the same way with Plaintiff if Plaintiff interacted with LIZZO and/or LIZZO's boyfriend.
8. Almost immediately, Plaintiff was introduced to the culture of racism and bullying on LIZZO's tour. Plaintiff witnessed LIZZO's approximately ten (10) background dancers (including Arianna Davis, Crystal Williams and Noelle Rodriguez) being forced to change in and out of their clothing in small, tight, changing areas during all the shows with little to no privacy whatsoever. Members of LIZZO's stage crew, primarily white males, would lewdly gawk, sneer, and giggle while watching the dancers rush through their outfit-changes.
9. Plaintiff expressed concern to NOMURA about utter lack of privacy and necessary accommodations and tools Black female performers would need on tour. However, NOMURA merely laughed at the dancers' poor accommodations, and "advised" Plaintiff not to alert anyone else about the issue or try to fix the issue. Plaintiff would later learn details that led her to believe this was a set up to humiliate, degrade, alienate, and, in some cases, fire, the Black female performers.

DAN 000055

10. Often, the background dancers would directly inform Plaintiff when they would rip their fishnet stockings or other dance gear while dancing. The first time this happened, Plaintiff provided the dancer with an additional pair of stockings since there was a fully stocked inventory of fishnet stockings. However, Plaintiff was scolded by LIZZO's management for giving the dancer additional stockings and instructed her not to do so again. Plaintiff was also specifically instructed to not give certain dancers panties, mirrors, or items they would need and ask for, despite those items being stocked.
11. Additionally, throughout the entirety of her employment, Plaintiff was forced to hear racist and fatphobic comments from NOMURA. Plaintiff witnessed NOMURA mock both LIZZO & LIZZO's background dancers on multiple occasions. NOMURA would imitate the dancers and LIZZO by doing an offensive stereotypical impression of a Black woman. NOMURA would also refer to Black women on the tour as "dumb," "useless," and "fat".
12. Plaintiff, a Black woman, was offended by NOMURA's disgusting comments. Plaintiff told NOMURA directly her comments and imitations were offensive, especially in a work setting. NOMURA ignored Plaintiff's concerns much like Plaintiff's prior concerns of the lack of privacy and accommodations for the dancers.
13. In or around mid-February of 2023, Plaintiff and NOMURA were transporting a heavy rack of clothing, when NOMURA rolled the rack over Plaintiff's foot. Plaintiff stopped and informed NOMURA she needed to sit down, as her foot was in serious pain. Shockingly, NOMURA proceeded to shove Plaintiff into the rack of clothing, while asserting Plaintiff should not make excuses about her foot and must help NOMURA transport the clothing.
14. Due to being shoved, Plaintiff lost her balance and rolled her ankle. The following day, Plaintiff came to work in "croc" shoes which minimized the pain. When NOMURA noticed the Plaintiff's orthopedic shoes, she demanded Plaintiff to change into tennis shoes. Plaintiff explained her ankle was swollen and injured after the rack incident, and that it was painful to walk in tennis shoes. However, NOMURA forced Plaintiff to wear the painful tennis shoes so that she could move heavy cases while injured.
15. Before agreeing to the tour, Plaintiff was explicitly promised that she would not have to perform physically demanding duties. This made the demand to change shoes unreasonable and caused unnecessary, compounded injury to Plaintiff. Not only was Plaintiff denied medical treatment (on this occasion and others) but was also forced to be on her feet the majority of the day and denied any rest – even after rolling her ankle. Despite LIZZO's team knowing of the injury, Plaintiff was forced to sleep in a top bunk without a ladder, even after requesting an accommodation be made. This caused her to reinjure her ankle constantly. In addition, while being forced to help with loading heavy cases, Plaintiff broke 2 acrylic nails past the nail bed resulting in open, bleeding wounds and was expected to continue with physical labor without medical treatment.
16. On several occasions, NOMURA made statements and/or took physical actions to threaten Plaintiff and the entire crew: (1) she threatened Plaintiff and others that she would "kill a bitch" and "stab a bitch" when she could not find her medication. (2) she shoved a crew member in retaliation for revealing she was threatening to quit. (3) NOMURA snatched food out of a local worker's hand for merely attempting to take an assigned break. (4) she expressed that she would "kill a bitch if it came down to it" if anyone threatened her job. LIZZO's Management was well aware of this pattern of behavior. Defendant GUGLIOTTA, LIZZO's Tour Manager, even requested Plaintiff to record NOMURA without her knowledge, which Plaintiff did not do as it was both unethical and possibly unlawful.
17. Compounding the disillusionment with LIZZO's tour, Plaintiff also endured sexual harassment by LIZZO's team. Specifically, there was a group chat of over 30+ people from the BGBT team, which included LIZZO tour management and Plaintiff. In the group message, a backstage manager sent a photo graphically depicting male genitalia. No one

DAN 000056

from LIZZO's management team addressed this graphic sexual imagery in the workplace appropriately. Instead, LIZZO's management found the image to be comical, further encouraging an unsafe, sexually charged workplace culture.

18. As another example of this, when the tour got to Amsterdam, Plaintiff witnessed NOMURA, crew, and LIZZO's management openly discussing hiring sex workers for lewd sex acts, attending sex shows, and buying hard drugs. Plaintiff felt pressured to join such activities and found a way to secure one of her few days off to escape.
19. Enough was enough. Despite being instructed not to speak with management, Plaintiff bravely decided to come forward. Later in the month of February 2023, Plaintiff informed GUGLIOTTA of the widespread racial and sexual harassment taking place on the tour. Specifically, Plaintiff told GUGLIOTTA that the Black dancers were being mocked, objectified, and denied accommodations by the stage crew and NOMURA. Plaintiff also told GUGLIOTTA that she and her local teams were victims of NOMURA's verbal and physical abuse, racist comments, bullying, and withholding of accommodations. Plaintiff explained she believes NOMURA's behavior was racially motivated, and stated, "It's not lost on me that I'm one of the only Black women working behind the scenes and I feel like [NOMURA] is treating me like I'm a slave."
20. Plaintiff expected Gugliotta to inform LIZZO of what was happening on LIZZO's team because she believed LIZZO would not tolerate racist bullying towards her dancers or the few Black women that worked behind the scenes on her tour. Women who, after all, look just like LIZZO. Plaintiff is informed and believes GUGLIOTTA did, in fact, relay to LIZZO Plaintiff's reports of racism and mistreatment towards herself and the dancers. GUGLIOTTA reassured Plaintiff that bullying would not be tolerated.
21. The toxic work environment continued without change. LIZZO's team ultimately fired Plaintiff without notice or reason. Plaintiff was later informed by GUGLIOTTA that "everyone knows [NOMURA] is crazy." GUGLIOTTA apologized to Plaintiff several times and acknowledged that although management was aware of NOMURA's behavior, she would be too hard to replace and NOMURA "wanted [Plaintiff] gone" for speaking up. Throughout the tour, Plaintiff received positive feedback for her designs and other work from performers, local crews, Gugliotta, and even NOMURA herself.
22. In fact, The Big Grrls and tour musicians requested a meeting with management to dispute Plaintiff's firing and their request was denied. Plaintiff was abruptly fired before her contract was set to end and put on a March 6, 2023 flight home.
23. Earlier on the day Plaintiff was fired, she suffered an allergic reaction that she notified both NOMURA and LIZZO's management about. Plaintiff was denied medical care, was yelled at for taking time to even look for medicine, and was pressured by NOMURA to keep working or be sent home. Despite the industry standard to have a medical team available at least by phone, no medical attention was ever provided.
24. Audaciously, LIZZO's Management has since requested further design work from Plaintiff.
25. Due to the racist and sexualized work environment, and also the unreasonable physical requirements of the Plaintiff, she suffered constant anxiety and panic attacks during the tour from the racist and sexualized environments; she continues to suffer ongoing anxiety and PTSD after the tour; and she suffers from migraines and migraine-induced eye twitch and ocular distortions, brain fog, and fatigue.

I declare under penalty of perjury under the laws of the United States the foregoing is true and correct.

December 11, 2023



DAN 000057

Declarant, Asha Daniels

DAN 000058

EXHIBIT 7

 Inbox **Dulce Martin**

2/20/23

To: undisclosed-recipient... & 1 more >

LZO::: Special Tour - PPE Reminder

Hey, guys!

I hope you're all doing well!

This is a friendly reminder that everyone needs to wear their PPE while loading in if you're on the floor - that means steel toes and hard hats.

We have a H&S Authority in all Germany shows, who are a bit lenient, however in places like Zurich and Milan they're very strict about it, and you will get fined if you're not wearing the required equipment. Needless to say, the tour won't be covering those fines :)



DEFS_000111

CONFIDENTIAL

EXHIBIT	7
WIT:	Daniels - vol 1
DATE:	6-2-2025
Pamela A. Stitt, CSR	

EXHIBIT 8

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASHA DANIELS,
an individual,

Plaintiff,

vs.

Case No.
2:24-CV-03571
FLA(PVCx)

BIG GRRRL BIG TOURING, INC., a
Delaware corporation; CAPS
PAYROLL, an unknown California
Business Organization; MELISSA
JEFFERSON (aka "LIZZO"), as an
individual; CARLINA GUGLIOTTA,
as an individual; AMANDA NOMURA,
as an individual, and
DOES 1 through 10, inclusive,

Defendants.

VIDEOTAPED DEPOSITION OF ASHA DANIELS

VOLUME II

TUESDAY, JUNE 17, 2025

9:25 A.M. - 1:05 P.M.

2049 Century Park East, Suite 2400

Los Angeles, California

Reported By:
PAMELA A. STITT
CSR No. 6027
Lexitas Job No. 127062

Asha Daniels

June 17, 2025

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASHA DANIELS,
an individual,

Plaintiff,

vs.

Case No.
2:24-CV-03571
FLA(PVCx)

BIG GRRRL BIG TOURING, INC., a
Delaware corporation; CAPS
PAYROLL, an unknown California
Business Organization; MELISSA
JEFFERSON (aka "LIZZO"), as an
individual; CARLINA GUGLIOTTA,
as an individual; AMANDA NOMURA,
as an individual, and
DOES 1 through 10, inclusive,

Defendants.

Videotaped Deposition of ASHA DANIELS,
VOLUME II, taken on behalf of Defendants, commencing at
9:25 a.m. and ending at 1:05 p.m. on Tuesday, June 17,
2025, stenographically reported before Pamela A. Stitt,
CSR No. 6027.

Asha Daniels

June 17, 2025

1 APPEARANCES:

2

3 For Plaintiff:

4 WEST COAST EMPLOYMENT LAWYERS, APLC
5 BY: RONALD L. ZAMBRANO
6 ATTORNEY AT LAW
7 1147 South Hope Street
8 Los Angeles, California 90015
9 213.927.3700
10 ron@westcoasttriallawyers.com

8

9 For Defendants Melissa Jefferson aka Lizzo, Big
10 Grrrl Big Touring, Inc. and Carlina Gugliotta:

11 LAVELY & SINGER
12 BY: MICHAEL E. WEINSTEN
13 MEGAN MALLONEE
14 ATTORNEYS AT LAW
15 2049 Century Park East
16 Suite 2400
17 Los Angeles, California 90067-2906
18 310.556.3501
19 mweinsten@lavelysinger.com
20 mmallonee@lavelysinger.com

16

17 The videographer:

18 GIANNI ORTIZ
19 LEXITAS

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Asha Daniels

June 17, 2025

1 hand.

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3

ASHA DANIELS,

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having been first duly sworn, was examined

5

and testified further as follows:

6

7

EXAMINATION (Resumed)

8

BY MR. WEINSTEN:

9

Q. Ms. Daniels, when we were here last time you recall I was asking you questions concerning things that Ms. Nomura either did or said to you that you found to be offensive.

13

Do you remember that?

14

A. Yes.

15

Q. Okay. And when we left off I had asked you the question anything else that Ms. Nomura did or said that you found to be offensive you answered yes and then I said what else, and then you asked for a break and then didn't come back until now.

20

So I'm going to let you answer that question:

21

What else that you haven't testified to so far that you found -- that Ms. Nomura did or said that you found to be offensive?

23

24

A. So one other thing that happened, I guess,

25

every day, every night, was that I wasn't allowed to

Asha Daniels

June 17, 2025

1 take just, like, normal showers and have normal privacy
2 at the end of the day, and oftentimes Amanda would -- So
3 we would have to shower in, like, these open stalls and
4 she would make me go last after everyone else had and
5 then she would rush me and kind of like time me and say,
6 like, you have five minutes to do it. So that's
7 definitely something that also -- I don't know if
8 offended is the word but made me feel uncomfortable and
9 didn't allow me, like, the privacy that I needed.

10 Q. Okay. Was there anything else?

11 A. Yes.

12 Q. Okay. What else?

13 A. So the day that I was fired I came in that
14 morning and I had an allergic reaction and I let her
15 know and once again said that I needed to see a doctor
16 or, like, some medical professional and I was denied
17 that. And so the way our workday was split up was we
18 would bring the cases in and then we'd get a morning
19 work, like kind of the morning things that needed to be
20 done, and like I already testified I was in charge of
21 the dancers' costumes and kind of like delegating things
22 to the local workers at every tour stop. And so I had
23 them kind of start off the day, like we did our
24 mendings, we did our washing of clothes and so then
25 there's a period of course where things needed to dry

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1 and so once I got everything done on schedule for the
2 morning and I let Amanda know I still didn't feel good.
3 She started harassing me and saying that I should just
4 go home then. So by this point I was talking to Carlina
5 about things. I believe I shot her a text message
6 saying that I had an allergic reaction, I wasn't feeling
7 good and that I wanted to talk to her, but at that
8 point, like I said, I had done my morning work,
9 everything was in a good spot, and so I told Amanda that
10 I was going to go take a nap because I wasn't feeling
11 good and I had done everything in the morning and that I
12 would be back in time to finish everything like I always
13 did on time for the show and she was upset about that
14 and started yelling at me. And so I just went ahead and
15 went to the tour bus and for the first time ever on tour
16 I took a nap, I think, probably like 30 minutes.

17 All the other workers regularly took naps,
18 slept in the middle of their day, I was never allowed to
19 do so. So I took a nap and when I came back, word had
20 kind of spread that I wasn't feeling good. Everyone
21 kind of knew at this point that Amanda was actively
22 bullying me and so I went to the cafeteria and one of
23 the chefs that I had considered a friend, who knew I was
24 having an allergic reaction and wasn't being given any
25 medical attention, he gave me some type of pill that was

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1 like a medical pill, I don't know what exactly it was,
2 but he was, like, "This will make you feel better, it's
3 like an allergic reaction thing." So normally if I
4 wasn't in a position like this, I don't like to take
5 medicine, I don't like to really take medicine like
6 that, but I was in such a desperate place I took
7 whatever the pill was, but he told me, like promise that
8 you will sit down and eat because if you don't have a
9 full stomach and you take this pill, you'll be throwing
10 up and you'll be a mess and so I sat down to eat and so
11 Amanda came and found me at the cafeteria and began
12 yelling at me in front of everyone as if I wasn't more
13 than on schedule for the work that I needed to do.

14 And so I once again not feeling great, took the
15 pill, ate, handled her yelling at me in front of
16 everyone, and so then I decided to go back to work. And
17 so as I'm checking on some of the garments, I realize in
18 my e-mail that I had a flight home sent to me with,
19 like, no explanation, and so I started asking around
20 just different people, like, "Hey, do you guys know why
21 I got this flight home?" And I could tell that people,
22 like, knew but didn't want to tell me whatever was going
23 on. So I went to Dulce and I said, "Hey, Dulce, like I
24 got a flight home in my e-mail. Do you know what that's
25 about?"

Asha Daniels

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1 And she said, "No, I have no clue."

2 And so then I sent a message to Carlina telling

3 her about the flight and just asking can we talk, like

4 wondering what it was, and so she told me she'd be in

5 later today so I continued my work for the day, Amanda

6 being really hostile throughout the day, and the locals

7 that day were a group of sweet older women who saw what

8 was going on and they just really went out of their way

9 to take care of me and say, like, you know, Amanda --

10 like this is poor treatment, no one should be treated

11 this way and they just made sure that I was eating and

12 made sure that I sat more than I normally did. They

13 knew about my ankle injury, they knew about the

14 treatment, and so they really just came around me and,

15 like, kind of mothered me all day.

16 So when Carlina came in everyone left the room,

17 and she pulled me aside and said that she had to send me

18 home because she knew that I did not want to make a

19 career out of being on tour and that I was there as a

20 favor to Amanda, and so she was, like, Amanda is hard to

21 replace, we're in the middle of a tour, we know that you

22 don't want to continue with the tour, you're just here

23 for the stint that you're here for, and she apologized

24 to me and said, you know, everyone knows she's crazy

25 but, like, she's just going to be really hard to replace

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1 and she apologized and said that she still wanted my
2 designs and to continue working with me after this.

3 And so it was like a really, you know, calm
4 conversation. I was definitely upset and disappointed,
5 but there was really nothing that I could do. And so I
6 said do you want me to -- I had gotten the work to a
7 really good spot where not a ton else needed to be --

8 MR. ZAMBRANO: You've answered his question.

9 THE WITNESS: Oh, I'm sorry.

10 MR. ZAMBRANO: He's not interrupting you out
11 of --

12 MR. WEINSTEN: Let her tell the story. Don't
13 interrupt her.

14 MR. ZAMBRANO: Oh. Okay.

15 MR. WEINSTEN: You were complaining to the
16 judge --

17 MR. ZAMBRANO: I was.

18 MR. WEINSTEN: -- that we were interrupting
19 you, which was not true, and now you interrupted the
20 witness --

21 MR. ZAMBRANO: She can keep going.

22 MR. WEINSTEN: -- in the middle of a question.

23 MR. ZAMBRANO: Keep going.

24 MR. WEINSTEN: That's inappropriate.

25 MR. ZAMBRANO: Keep going.

Asha Daniels

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1 MR. WEINSTEN: Keep going.

2 THE WITNESS: Sorry if I'm being long-winded.

3 MR. ZAMBRANO: Go ahead.

4 MR. WEINSTEN: You're answering the question.
5 Please.

6 THE WITNESS: Okay. So Carlina -- I said do
7 I -- like do you want me to finish out the day of work,
8 and she knew that I had been feeling bad and all this
9 terrible stuff had happened, so she was, like, "No, and,
10 in fact, please stay and watch the show and enjoy, like,
11 you deserve it."

12 And so I said, "Okay."

13 And so the sweet ladies that had been taking
14 care of me, they were like excited that I was going to
15 get to stay and watch the show and so they were working
16 at the table and asked me to stay and talk with them
17 like as a final goodbye, and so I was doing my makeup
18 and Amanda came in and started yelling at me to get out
19 of the room and that I needed to leave, and so I told
20 her I was told by Carlina to please stay, like there's
21 no reason for me to leave, I'm not bothering you.

22 And she continued to just like yell at me about
23 it. And so I -- I think she got security on me to come
24 in and security knew that it was ridiculous and so he
25 was, like, "Asha, do you mind just, like, switching

Asha Daniels

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1 rooms so that she can calm down and leave you alone."

2 And so I said, "Yeah, I don't mind." So I went
3 to Bree Runway's room. Throughout the night she would
4 just like -- I could hear her yelling in the other room
5 and obviously about me. And so, yes, to not get
6 long-winded that is -- I think that's like the last of
7 the many things that I can recall right now that Amanda
8 did to offend me or make me feel uncomfortable.

9 Q. Okay. So I will just ask the follow-up
10 question. I think I know the answer.

11 Have you now told us everything that you found
12 that Amanda did -- that Ms. Nomura did -- did or said
13 that you found to be offensive?

14 A. That I can recall right now, yes.

15 Q. Okay. Thank you.

16 Other than Ms. Nomura did anyone else do
17 anything -- say or do anything that you found to be
18 offensive?

19 A. Yes.

20 Q. Okay. Who?

21 A. Molly was part of the conversations where they
22 would make fun of the Big Grrrls and Lizzo and I found
23 that to be offensive. She was also part of the
24 conversations I mentioned before about some, like, big
25 black female artists like Beyonce, speaking in a

Asha Daniels

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1 derogatory way about her. I've mentioned Kyle's --

2 Q. Let's -- I'm going to get to Kyle.

3 You mentioned Molly so I want to take these one
4 at a time.

5 A. Okay.

6 Q. So you found Molly to be offensive. By the
7 way, who is Molly again?

8 A. I don't know what her direct title is, but I
9 know that she was in charge of taking care of the Big
10 Grrrls, like, I think, making sure that they have
11 everything they need.

12 Q. Now, you said she was part of a conversation
13 making fun of the Big Grrrls. What did she say in that
14 conversation?

15 A. I don't know if I can recall something she
16 directly said but she definitely laughed at what Amanda
17 had to say.

18 Q. Okay. So to your knowledge sitting here today
19 you don't recall anything that she specifically said
20 that was offensive, it was just that she was laughing at
21 something that Ms. Nomura said?

22 A. That is correct, and I will say that she
23 participated in the conversation, but I don't know if I
24 feel comfortable giving a direct quote about what she
25 said.

Asha Daniels

June 17, 2025

1 Q. Do you recall where that conversation took
2 place?

3 A. Yes. In -- In -- Multiple conversations but
4 mostly in the wardrobe room.

5 Q. How long was the conversation?

6 A. These conversations happened all the time.
7 Sometimes they would be like short, you know, a couple
8 minute interactions, sometimes they'd be longer.

9 Q. So there's multiple conversations, you can't
10 recall a single thing that Molly said that you found to
11 be offensive?

12 A. To be honest I wasn't a direct part of the
13 conversation, and like I said, I wouldn't feel
14 comfortable giving a direct quote, but I know that she
15 was part of the conversation.

16 Q. Did you complain to anybody about what Molly
17 said during these conversations?

18 A. Not Molly directly but definitely Amanda.

19 Q. Okay. You also said Molly was part of a
20 conversation regarding Beyonce. What did Ms. --

21 What did Molly say during that conversation?

22 A. I would say the same thing. I wouldn't feel
23 comfortable giving a direct quote about what she said
24 but...

25 Q. Can you tell me generally what Molly said

Asha Daniels

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1 during that conversation?

2 A. I know that she was part of agreeing to the
3 conversation and expounding upon whatever Amanda said.

4 Q. And what did Amanda say?

5 A. They -- So they would say several things.
6 There was conversation about Lizzo constantly calling
7 Beyonce a racial slur in a derogatory way. They thought
8 that was funny. And there was also conversation between
9 the two of them and also Shirlene who is the dance
10 captain about Beyonce being a devil worshiper.

11 Q. Anything else?

12 A. That's the main thing that sticks out to me
13 right now.

14 Q. Okay. Are we done with Molly? Did she do
15 anything else that offended you?

16 A. I will say it offended me that she did not take
17 her job and caretaking for the Big Grrrls seriously and
18 I had to kind of do a lot of her job and kind of take on
19 things that she should have been handling because I knew
20 the Big Grrrls were kind of suffering without certain
21 things so I just took it upon myself to make sure it
22 happened.

23 Q. Okay. What was Molly's job again?

24 A. I don't know the exact title but to take care
25 of the Big Grrrls and kind of coordinate for them and

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1 make sure they had everything they needed.

2 Q. In wardrobe or what kind of stuff?

3 A. No. She was more of their, like, full-time
4 caretaker but definitely not wardrobe, but there were
5 things in wardrobe that would cross into her territory.

6 Q. Okay. Other than Molly --

7 So have you now told me everything you can
8 recall that Molly did or said that you found to be
9 offensive?

10 A. Yes. That I can recall right now.

11 Q. Okay. What about --

12 You were about to mention Kyle. Did Kyle do
13 something that you found to be offensive?

14 A. The big thing with Kyle was the dick pictures.

15 Q. What did Kyle --

16 Did Kyle create that display that you found to
17 be offensive?

18 A. I don't know who created it.

19 Q. Okay. What did Kyle do with respect to the
20 dick pictures that you found to be so offensive?

21 A. So he had dick candies in like, I don't know,
22 like small dick figurines maybe that he had around and
23 he would make, like, sexually suggestive, I guess,
24 movements and remarks.

25 Q. Now, Kyle is a gay man; is that correct?

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1 A. That is correct. I believe so.

2 Q. Okay. Was he making these comments and
3 suggestions to you personally?

4 A. No.

5 Q. Okay. You observed it?

6 A. Yes.

7 Q. And when you saw it, did you walk away?

8 A. It wasn't always a situation I could walk away
9 from so no.

10 Q. Why not?

11 A. Because it was in a room that I was working in
12 and I had to do that work there.

13 Q. Did you report to anybody that you were
14 offended by Kyle playing with these figurines?

15 A. It was something that I talked about with
16 Carlina.

17 Q. When did you talk to Carlina about it?

18 A. I couldn't give you the exact time, but Carlina
19 and I had many conversations in person about everything
20 that was going on.

21 Q. Okay. Why don't you tell me the first time you
22 recall Kyle playing with these dick figurines?

23 A. I believe --

24 Q. By the way, how many were there --

25 A. How many dick figurines?

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1 Q. -- of the figurines? How many figurines did he
2 have?

3 A. He had a bag of I couldn't tell you how many
4 dicks. I believe it was candy but I can't say for sure
5 and I believe it was in Amsterdam but I can't know that
6 for sure.

7 Q. Okay. So your testimony is that Kyle had a bag
8 of dick candy and you believe it was in Amsterdam. Do
9 you think he purchased it in Amsterdam?

10 A. I wasn't with him when he got it so I don't
11 know.

12 Q. By the way, was Kyle in your -- in your bus?

13 A. Yes.

14 Q. Okay. And where was it that he was playing
15 with the dick candy?

16 A. He had it in -- I'm not exactly sure which room
17 it was designated as. Maybe it was the production room.
18 It would be hard for me to say for sure what room.

19 Q. Okay. So he had the dick candy in the
20 production room and you walked -- you walked into the
21 production room?

22 A. Yes.

23 Q. What were you doing in the production room?

24 A. I can't say for sure, but I had to go to many
25 rooms while working so I'm not sure what at that exact

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1 moment I was in there for.

2 Q. Okay. And this is in Amsterdam?

3 A. I can't say for sure that it was in Amsterdam
4 but I believe it was.

5 Q. So the best of your recollection sitting here
6 today you walked into a production room and where was
7 Kyle at the time?

8 A. So it would be hard for me to say because
9 people are moving around all the time so I can't stick
10 him to one --

11 Q. Was he moving around with a bag of the big
12 dicks?

13 A. Yes. So like I was saying, I can't stick him
14 to one place because he moved around with it and he had
15 it throughout the day, other people had it throughout
16 the day.

17 Q. So he had this bag of dick candy that he is
18 passing around to different people?

19 A. I didn't say that.

20 Q. Okay. What --

21 What was he doing with the dick candy that you
22 found to be so offensive?

23 A. So he had it, he would take it out and, like,
24 make tongue gestures with it similar to the one that's
25 in the picture. Just like, you know, how kids will make

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1 dick jokes that are inappropriate, things like that.

2 Q. Okay. Well, what did he say about the dick

3 candy that you found to be offensive? Did he say

4 anything or was it just that he was eating the candy or

5 licking the candy or whatever?

6 A. Once again, I wouldn't feel comfortable giving

7 a direct quote.

8 Q. Can you give me anything, any words that he

9 said that you found to be offensive that --

10 A. Yeah. I don't feel comfortable giving a direct

11 quote because it was over two years ago, but it was

12 definitely sexually suggestive jokes.

13 Q. And when did you speak --

14 So this is in Amsterdam. When did you have

15 your conversation with Carlina about the dick candy?

16 A. I couldn't tell you an exact date.

17 Q. Okay. What did you say to Carlina about the

18 dick candy?

19 A. It was more of a general conversation of

20 everything that I kind of felt uncomfortable about, and

21 it was just a note on the list of things that I felt

22 uncomfortable about.

23 Q. Okay. Where did that conversation take place?

24 A. I believe it was in her personal office.

25 Q. Okay. And you believe it was in --

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1 Since you are talking about the dick candy, it
2 had to be at least in Amsterdam; is that right?

3 A. I wouldn't feel comfortable saying for sure,
4 but I believe it would be after Amsterdam.

5 Q. Okay. And did Carlina --

6 What was Carlina's response when you told her
7 about the bag of the dick candy?

8 A. She was surprised about all of the things that
9 I was telling her and she said that they would be
10 addressed.

11 Q. Now, was there anything about the dick candy
12 that prevented you from doing a great job that you
13 testified that you did the last time you were here?

14 A. No.

15 Q. Okay. So you kept going about your business?
16 You saw the dick candy, you were offended, but you went
17 about your business and did your job and you did a great
18 job, right?

19 A. I wouldn't say I was offended. As a woman it
20 makes you feel uncomfortable --

21 Q. But it didn't affect your job performance?

22 A. -- and unsafe.

23 Yeah. I mean, I think it is something that
24 could have affected it but it did not. But it
25 definitely made me feel uncomfortable and, of course, a

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1 healthy safe work environment is when people do their
2 best work, but I was able to still do good work but it
3 definitely made me uncomfortable.

4 Q. Did you tell Kyle to put the dick candy away
5 because it made you uncomfortable?

6 A. No, I did not.

7 Q. Why not?

8 A. In a situation like this I was definitely low
9 man on the totem pole and it was obvious and it was said
10 to me and it was part of what made me feel uncomfortable
11 as the only black woman that I knew of backstage and so
12 I already was in a position where I didn't really feel
13 comfortable speaking to too many people about things
14 that made me feel uncomfortable or unsafe, which is why
15 I talked to Carlina about it.

16 Q. What was Kyle's position?

17 A. I believe he was in Ambiance.

18 Q. He is not higher level than you are in the
19 hierarchy there; isn't that right?

20 A. Amanda made it very clear that I was lowest on
21 the totem pole, so in reality I should not have felt
22 that way but that is what I was told and how I was
23 treated, which is part of why I felt like it was
24 racially motivated.

25 Q. So just to be clear, the only reason you didn't

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1 talk to Kyle and tell him that you were offended is you
2 didn't feel you were in a position to talk to your
3 co-worker and tell him that you were offended about the
4 dick pics; is that right?

5 A. I didn't feel comfortable because --

6 Q. Not the dick pics, I mean the dick candy.

7 A. I didn't feel comfortable because it was clear
8 that I was low man on the totem pole and I did not know
9 these people and I was overseas in a position where I
10 felt uncomfortable and that is why I talked to Carlina
11 about it.

12 Q. Okay. But you talked to Carlina. Why couldn't
13 you talk to Kyle? He is more your level than talking to
14 the boss. Wouldn't you be more comfortable talking to
15 somebody at your level than the boss?

16 MR. ZAMBRANO: Hold on. Hold on. Assumes
17 facts, lead- -- argumentative.

18 Please answer.

19 THE WITNESS: Yeah. I think if you talk to any
20 woman who has been in a position where something sexual
21 has happened and she feels uncomfortable, we feel more
22 comfortable talking to other women, and it's a hard
23 thing to talk to another man about, something he has
24 done to make you feel sexually uncomfortable.

25 BY MR. WEINSTEN:

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1 Q. By the way, do you have a problem with gay men?

2 A. No, not at all.

3 Q. So what is it about him eating dick candy that
4 you found to make you so uncomfortable if you don't have
5 a problem with gay men?

6 MR. ZAMBRANO: Hold on. Compound.

7 Please answer.

8 THE WITNESS: Yeah. That -- You're saying two
9 things that are totally separate. Him being gay has
10 nothing to do with it. I have plenty of gay friends and
11 people in my family, so it's kind of absurd to say I
12 have an issue with gay men. The issue is while you are
13 at work, especially overseas as a woman by yourself,
14 things like penises should not be part of your work
15 equation and it is highly inappropriate and it makes
16 women feel unsafe and uncomfortable.

17 BY MR. WEINSTEN:

18 Q. So your testimony just to be clear, you felt
19 unsafe because your co-worker, a gay man, had a bag of
20 dick candy, that made you feel unsafe; is that right?

21 A. All of the things we are talking about
22 collectively is part of what made me feel unsafe.

23 Q. I'm asking about the dick candy. You said it
24 made you feel unsafe.

25 What about Kyle eating the dick candy made you

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1 feel unsafe?

2 MR. ZAMBRANO: Misstates testimony.

3 Please answer.

4 THE WITNESS: Yeah. That is not what I said.

5 BY MR. WEINSTEN:

6 Q. Okay. So it didn't make you feel unsafe?

7 A. That's --

8 MR. ZAMBRANO: Misstates.

9 THE WITNESS: -- also not what I said.

10 BY MR. WEINSTEN:

11 Q. Okay. Did it make you feel unsafe?

12 MR. ZAMBRANO: Vague as to "it."

13 Go answer. Please answer.

14 BY MR. WEINSTEN:

15 Q. Did Kyle eating the dick candy make you feel
16 unsafe?

17 A. What made me feel unsafe is that there were
18 sexually suggestive jokes and props being used at a work
19 place.

20 Q. Okay. And so your testimony is those things
21 made you feel unsafe, that's your testimony?

22 A. Unsafe and uncomfortable, yes.

23 Q. Okay. What about your safety were you afraid
24 of when you say that you felt unsafe?

25 A. When you're in a workplace where sexual jokes

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·1 and sexual things are being discussed freely and lightly
·2 and laughed at and upper management is part of the
·3 conversation, it makes you feel like this is something
·4 that's highly inappropriate and so so many other
·5 sexually inappropriate things can go on.

·6 Q. So you thought this was going to cause
·7 something else to happen?

·8 A. No. It's reflective of what is allowed at a
·9 workplace.

10 Q. Okay. The last time we were here you talked
11 about -- you said you injured your ankle.

12 Do you recall that testimony?

13 A. Yes.

14 Q. Okay. I am going to introduce --
15 We are at Exhibit?

16 THE COURT REPORTER: 26.

17 MR. WEINSTEN: 26. I am going to introduce as
18 Exhibit 26 some images from the Internet. I believe
19 this is from your social media.

20 (Deposition Exhibit 26 was marked.)

21 BY MR. WEINSTEN:

22 Q. Actually, before I get to this one, let me ask
23 real quick: You said other than Kyle and Molly and
24 Ms. Nomura did anybody else do anything or say anything
25 to you on the tour that you found to be offensive?

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1 A. I mentioned Shirlene Quigley talking about
2 Beyonce in a derogatory way.

3 Q. Okay. Anybody else?

4 A. I mentioned the conversations going into
5 Amsterdam about sex and drugs whose names I can't
6 recall.

7 Q. That was last time, yeah.

8 A. Yeah. I'm just recalling.

9 I think as of right now that is everything that
10 I can recall.

11 Q. Okay. Let's turn then to Exhibit 26.

12 Am I correct that these are pages from your
13 social media?

14 A. No.

15 Q. Okay. Where are these pictures from? Is this
16 Big Grrrls social media?

17 A. This is from my website but it's a pull from --

18 Q. From your website so that's --

19 A. It's a pull from their social media.

20 Q. Okay. But just to be clear, are pages --

21 There are three pages to this document. Are
22 these things all on your website?

23 A. So this is on my website or was on my website.

24 MR. ZAMBRANO: Try to be description like the
25 first page.

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1 BY MR. WEINSTEN:

2 Q. The first page is from your website?

3 A. Yes. Exhibit 26 is from my website and it
4 is -- that video is from their social media.

5 The second page of Exhibit 26 is from my
6 Instagram.

7 Q. Okay.

8 A. And the third page looks like it's from Bree
9 Runway's Instagram but I can't say for sure.

10 Q. Okay. Let's turn to the second page. Am I
11 correct that this is a picture of you and Bree Runway on
12 March 5th, 2023 after you were terminated?

13 MR. ZAMBRANO: Are we looking at the top one?

14 THE WITNESS: Yeah.

15 MR. ZAMBRANO: Okay. Thanks.

16 THE WITNESS: I can't be for sure of the date,
17 but yes, this is the day that I was terminated.

18 BY MR. WEINSTEN:

19 Q. Okay. What shoes are you wearing?

20 A. I'm wearing some combat boots.

21 Q. Boots. Okay. Are those high heels?

22 A. No.

23 Q. Okay. Did --

24 Was your ankle hurting in this picture?

25 A. Yes.

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1 Q. Why were you wearing high heeled boots if it
2 was hurting your ankle?

3 MR. ZAMBRANO: Misstates testimony. She just
4 said it wasn't high heels.

5 Please answer the question.

6 BY MR. WEINSTEN:

7 Q. Why were you wearing boots if that was hurting
8 your ankle as opposed to Crocs. You were no longer
9 under any -- any restriction since you were no longer
10 working for the tour. Why are you wearing boots that
11 are hurting your ankle?

12 MR. ZAMBRANO: Hold on. Compound, requires a
13 legal opinion.

14 Please answer the question.

15 THE WITNESS: These boots I wore on and off as
16 my ankle swelling went down. I did regularly wear these
17 boots backstage. I didn't only wear Crocs. I wore the
18 Crocs when I had a particularly swollen ankle day. So
19 this day I was able to have them on. My ankle still
20 hurt, but I was able to fit my ankle into the boot so
21 that's why I have them on.

22 BY MR. WEINSTEN:

23 Q. Okay. Am I correct then sometimes you were
24 wearing Crocs after you hurt your ankle and sometimes
25 you were wearing boots; is that right?

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1 A. That is correct. I was forced to put them on.

2 Q. And, in fact, how often were you wearing the
3 Crocs while your ankle was hurting?

4 A. It's hard to give an exact number but often I
5 would say -- It's hard to give an exact number. I would
6 say after I injured my ankle it was probably at least
7 half of the time, and some days I would -- if Amanda was
8 particularly hostile about my shoes, I would wear my
9 Crocs while -- so the issue was they wanted me to
10 wear -- Let me say this clearly. I was not told about
11 the shoe situation before I came on to the tour, and I
12 also was told that I would not be part of loading in and
13 loading out, and so to my understanding once I got on
14 tour kind of as part of the harassment of me after I
15 injured my ankle, the shoe requirement was for the
16 loading in and loading out, I didn't have to have them
17 on all day. So if I -- During the day it was fine to
18 have on the Crocs but it was the load in and load out
19 where there was this, like, legal requirement for it if
20 that makes sense.

21 Q. So just to be clear, after you hurt your ankle
22 when you weren't loading in or loading out you were
23 wearing the Crocs and then when you were loading in or
24 loading out you wore boots?

25 A. Sometimes.

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1 Q. Okay. What else would you wear when you were
2 loading in and loading out?

3 A. I believe I had my gym shoes with me as well,
4 but they are the type that don't lace up, they're like
5 slide-on gym shoes, so they did not have a ton of -- it
6 wasn't like I could loosen them up to accommodate my
7 swollen ankle so sometimes I would have my gym shoes as
8 well.

9 Q. So you found workarounds for your ankle?

10 A. I did the best I could, yeah.

11 Q. Okay. By the way, when you're -- in this
12 picture with Bree Runway that is on the second page of
13 Exhibit 26 were you having an allergic reaction at this
14 point in time?

15 A. The pill that the chef gave me actually did
16 lighten my symptoms, so I'm not a doctor and there were
17 no doctors provided so I couldn't tell you if I was
18 still technically in that zone but I definitely felt
19 much better.

20 Q. Okay. So you look pretty happy --

21 Were you happy in this picture?

22 A. I think that would be kind of like a flat
23 statement. I was, of course, sad, traumatized from what
24 I had experienced, but I had a happy moment of after I
25 was fired all of the girls who I took care of, the Big

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1 Grrrls, Bree Runway and her team, some of the people
2 backstage who witnessed my bullying, they came around me
3 and really let me know, Carlina included actually,
4 really let me know that I did a great job and really
5 just kind of gave me my proverbial flowers and so it was
6 nice to feel that type of love on a day that, you know,
7 was really heartbreaking.

8 Q. Okay. But just to be clear, in this picture
9 you're smiling, Bree is smiling -- Actually, let me
10 withdraw that question.

11 Let me ask this: What were the circumstances
12 surrounding taking this photo? How did that come about?

13 A. So Bree Runway's team, they really surrounded
14 me with a lot of love after learning that I was unfairly
15 fired and her photographer wanted to get a picture of me
16 and Bree and she asked us to walk down the hallway and
17 let her take some pictures of us.

18 Q. Okay. So it's like a photo shoot effectively?

19 A. Not really. It was, like, maybe three photos
20 taken in the hallway.

21 Q. Okay. And this is before Bree went on,
22 correct?

23 A. I believe it -- Okay. So this is over two
24 years ago. It is hard for me to remember exactly. I
25 believe it was after she went on. I can't exactly

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1 remember but it was close to show time. But I believe
2 it was -- No. It was after. It was after I'm pretty
3 sure.

4 Q. By the way, did you have tennis shoes with you
5 on the tour?

6 A. That's what I was just telling you, I had those
7 slip-on gym shoes as well.

8 Q. I'm sorry. Clip-on tennis shoes?

9 A. Slip-on gym shoes.

10 Q. Oh, slip-on gym shoes.

11 A. Yes.

12 Q. What kind of shoes were they?

13 A. I believe they're Pumas. They don't have
14 laces. You just slide your foot in them and they are --
15 like they have a high -- they're high-tops.

16 Q. Okay. The tour bus that you were in, was it a
17 single -- was it a double-decker?

18 A. I don't really know what that means. Is that
19 like a second floor on top of one floor?

20 Q. Yeah.

21 A. No. But it had levels to it so -- but there
22 was not like a second floor on top of one floor.

23 MR. WEINSTEN: All right. I am going to mark
24 this as 27. This is also Plaintiff's C but since I'm
25 introducing it, I am going to mark it as 27.

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1 Q. Was Simon Salt on the bus?

2 A. I don't know.

3 Q. Was Tayu Lopez-Rivera on the bus?

4 A. I don't know that person either. I don't know.

5 Q. Was Ian Mackenzie on the bus?

6 A. I don't know.

7 Q. Was anybody on the bus that's not listed here
8 in Exhibit 28?

9 A. Yes.

10 Q. Who?

11 A. I don't remember her name. It was another
12 young lady in catering. She had dark hair. I'm sure I
13 could find it somehow on my phone, but I don't remember
14 her name but she was on our bus too.

15 Q. Anybody else?

16 A. Not that I can recall. But like I said, I
17 didn't really know these people. I never got a formal
18 introduction, so I couldn't tell you how many people or
19 if these exact people were on the bus.

20 Q. How many empty bunks were on the bus?

21 A. I'm not sure. But I know that there were no
22 empty bunks on the level that I wanted to be on, which
23 was the lower level, to accommodate my injury.

24 Q. Did you ask anyone else -- any of the people on
25 the bus if they would mind switching with you?

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1 A. I asked Amanda and she told me that I better
2 not ask anyone else.

3 Q. The question is not that.

4 The question is: Did you ask anybody else on
5 the bus if they minded switching with you, yes or no?

6 A. Yes. I asked Amanda.

7 Q. Okay. Other than Amanda did you ask any of the
8 other people if they would mind switching with you?

9 A. She told me I couldn't.

10 Q. That's not the question.

11 Is there anything about the question you don't
12 understand?

13 A. No.

14 Q. Okay. So can you please answer the question
15 because the jury is going to see your evasiveness and
16 they're not going -- If you're trying to establish
17 credibility, it doesn't help your case to be evasive so
18 let me try it again.

19 MR. ZAMBRANO: What's your next question? Just
20 go to the next question.

21 BY MR. WEINSTEN:

22 Q. Did you ask any of the other people other than
23 Ms. Nomura on the bus if they would be willing to switch
24 with you, yes or no?

25 A. I don't need to be disrespected to be asked

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1 these questions. I don't mind answering them, but there
2 is a fuller picture than just a yes or no. I would have
3 asked someone else but I was told not to.

4 Q. It's a "yes" or "no" -- It's a "yes," "no" or
5 "I don't know." Those are the three possible answers.
6 So my question to you one more time so the jury can see
7 your answer: Yes or no, did you ask anybody other than
8 Ms. Nomura if you could trade bunks with them?

9 A. No.

10 Q. Okay. Did you ask Carlina in all these
11 conversations you had with Carlina and the e-mails you
12 had, texts you had with her, did you ever ask Carlina if
13 you could switch bunks?

14 A. It's something that I talked about with her in
15 person.

16 Q. Okay. And did she say you could switch bunks,
17 yes or no?

18 A. She said that she would get back to me and
19 never did.

20 Q. Okay. When did that happen?

21 A. I couldn't give you an exact date but it was
22 one of the conversations --

23 Q. I don't need an exact date.

24 A. -- that we had.

25 Q. Give me an approximate. Do you recall what

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1 city --

2 Was it an in-person --

3 A. I don't.

4 Q. -- conversation?

5 A. It was an in-person conversation.

6 Q. It was in person. In what city?

7 A. I couldn't tell you.

8 Q. Was it in her office?

9 A. Yes.

10 Q. Okay. Tell me exactly what you said to Carlina
11 about the bunk situation?

12 A. I can't give you a direct quote, but I told her
13 that I was injured, I told her that I asked Amanda about
14 switching bunks to accommodate my injured ankle and that
15 Amanda told me no, she would not switch with me and that
16 I better not ask anyone else to switch with me.

17 Q. Okay. And what did Carlina say in response?

18 A. She was surprised that that had happened and
19 she felt really bad and embarrassed that I was even
20 saying that to her and she said that she would get back
21 with me about it.

22 Q. Okay. And your testimony is that she didn't
23 get back to you?

24 A. Correct. About that exact situation she did
25 not.

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1 Q. Did you then go to Carlina and say, "Carlina,
2 you were supposed to get back to me"?

3 A. I had many conversations with her about so many
4 different things, so yes, I brought it up again but I
5 never got an answer about it.

6 Q. So how many times did you bring up with Carlina
7 that you wanted to switch bunks?

8 A. Probably twice.

9 Q. Probably twice.

10 Can you tell me any of the places where that
11 occurred?

12 A. It was always in her office.

13 Q. Okay. In her office in what city? She had
14 different offices in different places; is that right?

15 A. That is correct. She always had a room that
16 was designated as her office, and I couldn't tell you
17 what city.

18 Q. We've heard testimony now from two different
19 witnesses including women who are plaintiffs against
20 Lizzo, and my understanding is the top level bunk here
21 it is actually at waist level so all you would have to
22 do to get into the bunk is to basically slide into it.

23 Is it your testimony that you had to climb into
24 the bunk and you couldn't just slide into it?

25 MR. ZAMBRANO: Misstates testimony, assumes

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1 facts.

2 Please answer.

3 THE WITNESS: Yes. From my height I had to
4 climb into it.

5 BY MR. WEINSTEN:

6 Q. Okay. How tall are you?

7 A. Five-five-and-a-half.

8 Q. And when you say you had to climb into it, did
9 you use your arms in any way to pull yourself up?

10 A. Yes.

11 Q. Okay. So if you're using your arms to pull
12 yourself up, you don't need your ankle at all to get
13 into the bunk; isn't that right?

14 A. No.

15 Q. Explain to me how you would get into the bunk.
16 Before your ankle was hurt, explain to me how you would
17 get into the bunk?

18 A. So -- So the process of getting into the bunk
19 was always pretty much the same, but you need to, like,
20 even to get on the bed you have to swing your legs
21 around which involves engaging your ankle obviously. So
22 I -- like I would either step on other beds to kind of
23 climb up and use both my upper body and lower body to
24 get in or kind of like step to the side of them.

25 Q. Did you pull --

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1 You said you used your hands. Did you put your
2 hands on this upper level to pull yourself up?

3 A. So I would not feel comfortable using this as
4 an example because I don't think this is the exact bus
5 we were on.

6 Q. We all know what a bunk looks like. So let's
7 just --

8 Whatever bunk you had, how do you use your
9 hands -- In what way --

10 Before your ankle was hurt, to get into the
11 bunk how would you use your hands? Would you put them
12 on the bunk seat itself? Would you put them on a rafter
13 above the bunk?

14 A. You would put them on, like, this ledge of the
15 bed and then sometimes use, like, the pillar, I guess,
16 going up and down.

17 Q. Okay. So you would use your hands to hoist
18 yourself into the bed, correct?

19 A. That is correct.

20 Q. And then with your legs would you step up on
21 one leg, use one leg to sort of push yourself up?

22 A. I guess that's a vague statement. That could
23 mean a lot of different things, but I would have to put
24 my feet on these beds to get up in there.

25 Q. By the way, did you ever ask anybody for a

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1 ladder to get into the bunk?

2 A. No. There was such lack of being provided any
3 type of amenities that that would almost be ridiculous
4 to try and get that.

5 Q. How would a ladder have helped you if either
6 way you're going to have to step up into the bunk? How
7 is a ladder going to make it any better?

8 A. Well, I'm telling you I did not ask for a
9 ladder.

10 Q. But you testified -- Strike that.

11 You do understand that in your complaint that
12 you filed against my client in court you were alleging
13 there -- one of the things you're complaining about is
14 you were forced to sleep in a bunk without a ladder.
15 You understand that that was a claim that you are making
16 against Big Grrrl Big Touring; isn't that right?

17 A. There was no ladder, so yes, that's part of it,
18 there was nothing to help you get into the bed.

19 Q. But now you are testifying that a ladder isn't
20 going to help you based on the way you just explained
21 the way you get into a bed, so my question to you is:
22 Why are you complaining that you didn't have a ladder?

23 MR. ZAMBRANO: Argumentative.

24 THE WITNESS: And that's not what I said.

25 BY MR. WEINSTEN:

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1 Q. Okay.

2 A. What I said is that it would -- it is obvious
3 that I would not be able to get a ladder when I wasn't
4 able to even get things that the dancers needed, so
5 that's what I'm saying is that, of course, no one was
6 going to give me a ladder.

7 Q. Okay. Other than this problem getting in and
8 out of the bunk and you testified something about the
9 shoes, was there anything else you expected my client to
10 do with respect to your ankle injury?

11 A. I expected them to have a medical professional
12 available. It's -- Yeah, I would think that there would
13 be a medical professional on staff or someone in each
14 city that we could go to. That was not provided.

15 There should have been accommodations in the
16 wardrobe room for me to be able to sit on a chair and do
17 my work. A lot of times I was forced to stand
18 unnecessarily.

19 I had a very clear agreement with Amanda before
20 coming on tour that I would not be part of loading in or
21 loading out or carrying any heavy objects. She agreed
22 to that. And so I should not have been forced to do any
23 of the loading in or loading out or moving of heavy
24 things.

25 I should have been allowed to wear my open-toe

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1 shoes -- not open-toe, open-ankle shoes.

2 Q. You just testified you did, you wore your
3 Crocs. You just testified a minute ago you were wearing
4 Crocs regularly when you weren't loading in or loading
5 out. So are you now changing your testimony?

6 A. No, I'm not.

7 MR. ZAMBRANO: Hold on. Hold on.

8 Argumentative.

9 MR. WEINSTEN: We can move on.

10 Q. You said that one of the things that you would
11 like is to have been able to sit down. Were there
12 chairs backstage near the wardrobe room?

13 A. Should I not finish the last question you asked
14 me?

15 Q. You can finish.

16 A. Okay. I wasn't done answering.

17 Q. Okay. Go ahead. I thought you were done.

18 A. So also there should have been some type of,
19 like, pain medication that I should have been able to
20 take for the pain that I had.

21 It would have -- I should have been able to ice
22 my ankle if needed, like sit down, elevate, ice my ankle
23 so that the swelling could go down.

24 I should have been provided breaks and, you
25 know, time to nap since I was pulling such early and

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1 late hours. My off time should have been allowed to be
2 my off time. I should not have still had to engage with
3 Amanda, you know, on my very few off hours.

4 Q. Did you ask for pain medication?

5 A. Yes.

6 Q. Okay. Who did you ask?

7 A. Amanda.

8 Q. Did you ask anybody else?

9 A. Carlina. I talked to the chefs.

10 Q. Did anybody --

11 Did Carlina say, "We don't have any pain
12 medication" or did she --

13 A. Yes.

14 Q. So your testimony --

15 Just to be clear, you saw Carlina yesterday,
16 correct?

17 A. Yes.

18 Q. You saw her testimony. She flatly denies what
19 you're saying but that's fine. Is it your testimony
20 that you asked Carlina for pain medication and she
21 denied it to you; is that your testimony?

22 A. Yes.

23 Q. Okay. Did she tell you why she was denying you
24 pain medication?

25 A. I don't know if denied is the right word. It's

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1 not like she said I have it and I'm not going to give it
2 to you. She did not have it. And she wasn't able to
3 point me in the direction of anyone who would have it.

4 Q. Did you ask anybody else on the tour --

5 You said by the way the chef was able to give
6 you some kind of medication for your allergic reaction.
7 Of all those people on the tour did you ask around,
8 "Does anybody here have some Tylenol or anything like
9 that?"

10 A. Definitely.

11 Q. Okay. And did nobody on the whole tour have
12 any Tylenol or Advil or anything?

13 A. I wasn't given any.

14 Q. Did anybody have it? Did anybody deny it to
15 you?

16 A. My guess is that, of course, someone had to
17 have had it but I can't say that for sure.

18 Q. So let me ask you this question: You stayed in
19 hotels sometimes, didn't you?

20 A. Rarely.

21 Q. But sometimes you did, right?

22 A. Rarely.

23 Q. When you stayed at the hotels, did you bother
24 to go down to the front desk and ask for some pain
25 medication?

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1 A. No.

2 MR. ZAMBRANO: Assumes facts.

3 BY MR. WEINSTEN:

4 Q. Why not?

5 MR. ZAMBRANO: Assumes facts.

6 Go ahead and answer.

7 BY MR. WEINSTEN:

8 Q. Why not?

9 A. At the time I had become so used to not
10 medicating it or doing anything that that was just kind
11 of like the head space I was in.

12 Q. You said you would have liked some ice for the
13 ankle. When you were staying in these hotels, they have
14 ice in hotels, right?

15 A. Yes.

16 Q. Did you get ice from anybody at the hotels?

17 A. Yes.

18 Q. Okay.

19 A. Definitely.

20 Q. So you did have ice?

21 A. At the hotel the one time.

22 Q. How many times --

23 What hotel were you at where you asked for
24 the -- where you got the ice?

25 A. I don't remember the name of the hotel, but I'm

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1 surely the documents can...

2 Q. Can you tell me what city you were in when you
3 got the ice for your ankle?

4 A. I can't. But I'm sure if I, like, looked at
5 something with tour dates and what day we stayed at the
6 hotel I could.

7 Q. By the way, did they have a freezer on the bus?

8 A. I don't know if they had a freezer. They had a
9 refrigerator.

10 Q. Okay. They actually did have a freezer, didn't
11 they, with ice in it, didn't they?

12 A. I actually don't know that.

13 Q. You don't know that.

14 Did you bother to check to see if on this
15 double-decker bus that there was ice in the freezer that
16 you could take and put on your ankle?

17 MR. ZAMBRANO: Argumentative.

18 Please answer.

19 THE WITNESS: I don't believe there was ice.

20 BY MR. WEINSTEN:

21 Q. Was there any ice in any of the venues, these
22 big venues where you're traveling from place to place to
23 place, did you bother asking anybody at the venues, like
24 catering, "Hey, do you have some ice that I can use for
25 my ankle"?

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1 MR. ZAMBRANO: Argumentative.

2 Please answer.

3 BY MR. WEINSTEN:

4 Q. Did you ever do that?

5 MR. ZAMBRANO: Argumentative.

6 Please answer.

7 THE WITNESS: So while at work I knew that I
8 was not allowed to sit there and ice my ankle, so no.

9 BY MR. WEINSTEN:

10 Q. When you're off work, did you ask for --

11 When you're going to bed and having all this
12 trouble getting into the bunk because you don't have a
13 ladder, did you bother when you're at the venue to ask
14 somebody, "Can I get some ice to ice down my ankle when
15 I go to bed?"

16 MR. ZAMBRANO: Argumentative.

17 Please answer.

18 BY MR. WEINSTEN:

19 Q. Did you do that?

20 MR. ZAMBRANO: Argumentative.

21 Please answer.

22 THE WITNESS: So it wasn't like that. By the
23 time I got off work, it was so late into the night that
24 those services were shut down.

25 BY MR. WEINSTEN:

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1 Q. But during the day?

2 A. I just --

3 MR. ZAMBRANO: Hold on. Hold on.

4 MR. WEINSTEN: It's fine. This is --

5 MR. ZAMBRANO: Okay.

6 MR. WEINSTEN: All right. This is --

7 MR. ZAMBRANO: Just wait for the next question.

8 THE WITNESS: Okay.

9 BY MR. WEINSTEN:

10 Q. All right. You also claim that you broke two

11 nails; is that correct?

12 A. Yes. I injured all my nails, but I also broke

13 two nails.

14 Q. Okay. Is it your contention that that's a

15 disability for which you are suing my client --

16 MR. ZAMBRANO: Calls for a legal conclusion.

17 Please answer.

18 BY MR. WEINSTEN:

19 Q. -- or is that just stuff in your complaint?

20 MR. ZAMBRANO: Hold on. Legal conclusion.

21 Please answer.

22 BY MR. WEINSTEN:

23 Q. Are you asserting that you were disabled

24 because you broke two nails?

25 MR. ZAMBRANO: Legal conclusion.

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1 Please answer.

2 THE WITNESS: That is definitely part of my
3 disability.

4 BY MR. WEINSTEN:

5 Q. Okay. And that, in fact, happened when you
6 yourself were cutting your nails; isn't that right?

7 A. No.

8 Q. How did you break your nails?

9 A. So once again, like I said, moving cases that I
10 was not supposed to be moving. Amanda was often rough
11 with things like how she was rough with rolling over my
12 ankle and so she -- we were pulling some of the cases
13 into the corner so like concrete walls into a corner of
14 where we were going to set up wardrobe and she bumped
15 her case into mine and it -- so I had acrylic nails on
16 and acrylic nails are thick and if you crack them down
17 the middle, it kind of creates this really hard way to
18 get them off for lack of a better word, and it broke all
19 the way down to my nailbed so then I had to cut them off
20 so that I wouldn't keep reinjuring it.

21 Q. Okay. And did that stop you from working?

22 A. No. I had to keep working.

23 Q. Did you --

24 Were your nails bleeding?

25 A. Yes.

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1 Q. Did you get a Band-Aid?

2 A. Yes.

3 Q. Okay. So you didn't seek medical treatment for
4 the broken nails?

5 A. I did and I was not given medical treatment.

6 Q. Okay. What medical treatment did you ask for
7 to treat the broken nails for which you put Band-Aids
8 on?

9 A. That it would have been nice to see some type
10 of medical professional.

11 Q. Okay. So you wanted to go see a doctor because
12 you broke your nails; that's your testimony?

13 MR. ZAMBRANO: Hold on. Argumentative,
14 misstates testimony.

15 Please answer the question.

16 BY MR. WEINSTEN:

17 Q. Is your testimony that you asked to see a
18 doctor because you broke two nails, yes or no?

19 MR. ZAMBRANO: Misstates testimony,
20 argumentative.

21 Please answer.

22 THE WITNESS: That's not what I said.

23 BY MR. WEINSTEN:

24 Q. Did you ask to see --

25 You said you wanted medical attention. What

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1 kind of medical attention were you expecting because you
2 broke two nails?

3 A. So a medical professional could be a doctor, it
4 doesn't need to be, but when I've worked on other sets
5 they have a medical professional, usually like an
6 ambulance kind of person, medical professional, and they
7 have things that are like rubber finger things that will
8 fully protect your nails, won't let any, you know,
9 water, anything that would further hurt, like anything
10 that stings inside, and they could like properly gauze
11 up and put those, like, finger rubber things on and, of
12 course, like some pain medicine would have been nice.

13 Q. So Band-Aids weren't good enough, you wanted
14 rubber fingers; is that your testimony?

15 MR. ZAMBRANO: Argumentative.

16 Please answer.

17 THE WITNESS: So Band-Aids especially with your
18 fingers when you work with your hands, you're washing
19 things, they get wet, they fall off, alcohol can get
20 into them and it stings, it's just painful and it makes,
21 like, your hands feel like they're on fire.

22 BY MR. WEINSTEN:

23 Q. Okay. You testified you had conversations with
24 Ms. Gugliotta about various things you were complaining
25 about in the workplace. You heard her testimony about

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1 it yesterday. Now I'm going to ask you about those
2 conversations.

3 When was the first time you spoke to
4 Ms. Gugliotta about your complaints about anything?

5 A. I don't remember the exact date, but I'm sure
6 it's reflected in the text messages.

7 Q. Okay. Well, we saw -- you saw in the
8 deposition yesterday that on February 24th she reached
9 out to you to say, "Hey, Asha, let me know when you have
10 time to chat."

11 Does that sound like about the first time that
12 you sat down and talked to her in person about your
13 issues?

14 MR. ZAMBRANO: Hold on.

15 Incomplete --

16 MR. WEINSTEN: Here.

17 Let me do it this way. Let me give you the
18 document.

19 MR. ZAMBRANO: Thank you.

20 MR. WEINSTEN: I'm going to introduce -- It has
21 already been marked as Exhibit 25. Let me give it to
22 you again to see if this --

23 THE WITNESS: Thank you.

24 MR. ZAMBRANO: Thank you.

25 //

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1 (Inadvertently referred to as
2 previously marked Exhibit 25.
3 Exhibit 25 is Bates DEFS_000059
4 through DEFS_000066.)

5 BY MR. WEINSTEN:

6 Q. I will draw your attention to --

7 I mean, Ms. Gugliotta's testimony was that the
8 first she sat down and spoke to you about your issues
9 was in connection with this February 24 text, but you
10 can tell me if you believe you spoke to her sooner than
11 that.

12 A. Based on these text messages my memory and what
13 the text messages show it would have been Thursday,
14 February 23rd.

15 Q. Okay. So on February 23rd you were in
16 Amsterdam; is that right?

17 A. I can't say for sure.

18 Q. Okay. You met with Ms. Gugliotta in person?

19 A. Yes.

20 Q. And what did you complain to Ms. Gugliotta
21 about in that conversation?

22 A. So this was, like, the initial conversation I
23 had with her. I ran down everything that was happening
24 that I could recall like at the time, which had been a
25 lot, had kind of stacked up, but it was -- Yeah, it was

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1 kind of like a rushed conversation, I guess I could say.

2 So do you want me to list off everything that I remember

3 talking to her about?

4 Q. Yes. From the first conversation tell me the

5 things that you complained to her about.

6 A. So of course I complained about Amanda's

7 treatment of myself, of Amanda's treatment of the local

8 workers at each city that we would have. I complained

9 to her about Amanda physically assaulting me and the

10 rack situation. I believe I told her at that point

11 about Amanda also physically assaulting another woman

12 that she was friends with that I mentioned during the

13 first part of my testimony.

14 I told her about the lack of accommodations for

15 the dancers and that I had talked to -- I had talked to

16 Amanda about it and I was being told to deny them the

17 accommodations that they needed. I told her about my

18 injuries, about being denied medical attention.

19 Q. Okay. Anything else in that first

20 conversation?

21 A. I remember telling her that I felt like my

22 treatment was -- it had, like, a racial undertone to it.

23 Q. Anything else?

24 A. I believe that's what I can remember right now.

25 Q. Okay. When was the next time you talked to

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1 Ms. Gugliotta in person about complaints that you had
2 about anything?

3 A. I'm not exactly sure of the date, but I'm sure
4 the text messages kind of are a good guide. So probably
5 the next day, February 24th probably.

6 Q. Okay. And what did you discuss with her on
7 February 24th?

8 A. So I believe this is when she checked in on me.
9 I told her that it still wasn't going good, and she said
10 that -- she asked me if it was okay with her if she
11 addressed my concerns with Amanda, and at that point,
12 once again not really being sure of how, you know, this
13 would go or like if I would actually be protected, I
14 asked her to but I asked her to also talk to her about
15 not retaliating against me because Amanda's complaints
16 with me were not about my work, it was about me
17 complaining about her bullying people including myself.

18 And she was just, like, apologetic about the
19 fact that I was being treated this way and told me that
20 it would change.

21 Q. Anything else on the second conversation?

22 A. Like I said, I'm going based off of text
23 messages. I talked to Carlina so many times that it's
24 going to be hard for me to remember exactly what was
25 said in each conversation.

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1 Q. Then we do our best.

2 So that's the second conversation.

3 When was the next conversation in person that
4 you had with Carlina?

5 A. Okay. Remembering from this these text
6 messages that she also wanted to talk to me about
7 designs.

8 Q. When was that?

9 THE COURT REPORTER: I'm sorry. About?

10 THE WITNESS: Designs. I'm sorry.

11 I'm guessing this is still part of the 24th
12 conversation since I don't see a new date but I can't
13 say for sure.

14 And then -- This feels like it would have been
15 two separate conversations with Carlina although I don't
16 see a date change on here so I'm not exactly sure. But
17 Carlina and I definitely talked in person about the
18 situation with the local workers, me allowing them to go
19 on a break and eat the food, which I was never told that
20 wasn't allowed. All the other local workers were
21 allowed to eat the food and Carlina agreed with me,
22 she's, like, "Yeah, they are definitely allowed to and
23 Amanda should not be grabbing food out of anyone's hand
24 and yelling at you guys."

25 And then I know, like, later that day she said

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1 that she checked and she was wrong and that they are
2 supposed to have separate catering, which I told her
3 that's fine but no one ever told me and the
4 disrespectful behavior doesn't need to be a part of it.

5 And then she asked me to record Amanda.

6 BY MR. WEINSTEN:

7 Q. Did you do that?

8 A. No.

9 Q. Why not?

10 A. Because recording conversations like
11 intentionally that people don't know they're being
12 recorded I don't know exactly what the law is but that
13 feels illegal and immoral, like it doesn't feel like
14 something that you should do.

15 Q. Okay. When was the next conversation in person
16 that you had with Ms. Gugliotta?

17 A. We definitely talked about the screen shot I
18 sent her of Amanda saying that she was drinking, doing
19 shots.

20 Q. That is actually complimentary text about you,
21 isn't it?

22 A. Yeah.

23 Q. Okay. So what were you talking --

24 Why were you upset about that? Or were you not
25 upset about it, you were just telling her about it?

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1 A. Give me one second to read this. I'm sorry. I
2 want to make sure I fully remember correctly. I think I
3 just -- I wanted her to see, like, first off Amanda like
4 doing shots while at work and then the fact that she
5 apologized to me for her behavior and that she also was
6 like actively complaining about the tour and the
7 conditions.

8 Q. So you wanted to rat out Ms. Nomura for
9 complaining about the conditions on the tour; is that
10 the purpose of this?

11 MR. ZAMBRANO: Argumentative.

12 Please answer.

13 THE WITNESS: Saying the term rat out feels,
14 like, a disrespectful jab. That's unnecessary for this
15 conversation.

16 BY MR. WEINSTEN:

17 Q. Is that what you were doing?

18 A. No. I think that's disrespectful to say that
19 speaking your concerns at the workplace is ratting
20 someone out.

21 Q. So you --

22 A. So no. I would say that I was letting her know
23 like this is the condition, this is some proof of the
24 unhinged behavior of Ms. Nomura, the unprofessional
25 behavior and the fact that she is attesting to I am

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1 doing a good job and she's sorry for how she's treated
2 me so ratting out just feels disrespectful for no
3 reason.

4 Q. By the way, you said she was drinking during
5 work. This is after work, isn't it? She's in the
6 shower and having a tequila shot?

7 A. So technically you would think that, but I was
8 like always at work so that's part of my testimony, that
9 even when my day should have ended, it didn't end, like
10 there --

11 Q. But she --

12 A. -- were still conversations -- Can I
13 finish my --

14 Q. But she's not at work. All right.

15 A. Can I finish what I said?

16 Q. Whatever. I will withdraw the question. Let's
17 move on.

18 What's your --

19 What's the next thing? So you talked to her
20 about the text. What else did you --

21 What was the next time you complained to
22 Ms. Gugliotta about anything about your circumstances?

23 In person. We have the texts. I just want to
24 know about the in-person conversation.

25 A. Like I said, it is hard for me to remember how

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1 many times I met with her on the topic of each one so
2 that is why I'm using this kind of as a guide, but it
3 happened over two years ago and so much went on that
4 it's hard to give you an exact this date, this city,
5 this is how long the conversation went on. It would be
6 impossible for me to recall exactly.

7 Q. Just give me your best recollection. If you
8 don't remember, then just say you don't know.

9 A. Okay. Okay. So I guess it looks like maybe we
10 talked multiple times on February 24th, I guess. Yeah.

11 Q. Okay. Previously a minute ago you testified on
12 February 4th (sic) you discussed with Ms. Gugliotta that
13 things are still not going good, that -- that she said
14 she would address the concerns and you talked about
15 bullying.

16 What else was discussed on February 24th?

17 A. And I just want to say that you originally said
18 February 4th. It was February 24th, not 4th.

19 Q. I didn't think I said -- 24th. But go ahead.

20 A. Yeah, 24th. I'm sorry. Can you repeat the
21 question.

22 Q. What else was discussed on February 24th that
23 you have not already testified to?

24 A. Okay. So this situation that's in the text
25 messages. Yeah, her pulling me aside to yell at me and

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1 say that I was talking shit to Bree Runway's crew, which
2 is not true. Yeah, and then me telling her like I don't
3 want to be bullied and yelled at by you. And that I was
4 ahead of schedule, which I always was, like getting
5 everything done in a timely manner. Okay. And then
6 obviously we're talking about Friday, February 24th at
7 1:08 her asking me to come to her room. So yeah, I
8 guess that's everything that I remember from that day.

9 Q. Okay. So what was the next in-person
10 conversation you had with Ms. Gugliotta about your
11 complaints about things in the workplace?

12 A. It looks like it was February 27th and we
13 probably had a conversation about the designs she asked
14 for as well as I probably told her about how Amanda
15 originally asked me to do these designs, and I stayed up
16 all night that first night I had in a hotel room to do
17 it, even though I needed my sleep, and then that morning
18 she told me she wanted to present the designs as an
19 anonymous designer and I told her that that was really
20 offensive and that she was not allowed to present my
21 designs if she felt she needed to do it as anonymous,
22 and that Amanda told me that the way Lizzo's team is,
23 that they are so crooked, that they would want to take
24 my designs and not pay me for them, and I told her I'm
25 not concerned about that but obviously I would never

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1 disrespect myself as a black woman to allow you to
2 present my designs without my name on them so I just
3 withdrew my designs and told her don't submit them. And
4 then Carlina asked for them, so I shared them with
5 Carlina and yeah, we talked about that.

6 Q. Okay. What else? Anything else on
7 February 27th?

8 A. I know that every time I talked to Carlina she
9 checked in with me about, like, what the update was,
10 like was Amanda's behavior improving, and the answer was
11 always no, it was that she was still being hostile with
12 me. Every time she learned that I talked to Carlina she
13 got increasingly aggressive and hostile and yelling and
14 being rude.

15 Q. Okay. Any other in-person conversations you
16 can recall with Ms. Gugliotta?

17 A. Well, I know that, like, outside we would have
18 bigger conversations in her office, but she would also
19 find times to peek in and do, like, smaller check-ins
20 with me.

21 And then the next time that would be indicated
22 from these text messages would be the day that I was
23 fired. And I started off telling her that I was having
24 an allergic reaction, wasn't feeling well, and that
25 Amanda has been aggressive and hostile since I mentioned

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1 it and I asked her to talk.

2 Q. Okay. Have you now told me all of the oral
3 conversations you can recall with Ms. Gugliotta?

4 A. No.

5 Q. Okay. What else?

6 A. So then when she came in that day, I had
7 mentioned this earlier, but she apologized to me and
8 told me that the decision was made to send me home
9 because they could not replace Amanda and they knew that
10 I did not want to stay on the tour long term as, like, a
11 career move. And she told me, like, she wanted to keep
12 working with me and, like, you know, keep asking me for
13 design submissions. She apologized for my treatment on
14 the tour. I thanked her for, you know, like what she
15 was able to do. And she insisted that I stayed and had
16 fun, and I asked her, like, "Do you want me to stay and
17 finish out the day?"

18 And she said, "No," the least they could do is
19 let me have a good night and actually watch the show and
20 have fun.

21 Q. Okay. Have you now told me all of the oral
22 conversations you had with Ms. Gugliotta regarding your
23 complaints about things on the tour?

24 A. No.

25 Q. Okay. What else?

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1 A. That same day Amanda was trying to get, like,
2 security to kick me out so I know I mentioned it to her,
3 that Amanda was, like, still being aggressive even
4 though I had been fired but asked to stay and enjoy the
5 show, that she was still harassing me.

6 Q. Anything else?

7 A. I think that's everything to the best of my
8 recollection, but it definitely -- like I said, I talked
9 to Carlina often and so I'm sure, you know, I'm not
10 giving an exact picture of how many times I talked to
11 her.

12 Q. Okay. But as far as the complaints that you
13 shared with Ms. Gugliotta, have you now told me
14 everything you can recall discussing with her at least
15 in generalities and topic areas complaining about things
16 on the tour?

17 Actually, can you read that question back. I'm
18 not sure that came out as clean.

19 (Record read as follows:

20 "Question: But as far as the
21 complaints that you shared with
22 Ms. Gugliotta, have you now told me
23 everything you can recall discussing
24 with her at least in generalities and
25 topic areas complaining about things on

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1 the tour?")

2 MR. WEINSTEN: I'm going to withdraw that
3 question and I'm going to ask a cleaner question.

4 Q. Have you now told me everything that you can
5 recall orally discussing with Ms. Gugliotta regarding
6 your complaints about things that occurred on the tour?

7 A. I think that there are several things that we
8 have already discussed in this deposition that weren't
9 just said in this section of questioning. Do you want
10 me to go back over those things?

11 Q. I'm only, just to be clear, only interested in
12 what you said to Ms. Gugliotta. You talked about what
13 happened on -- a conversation on February 23rd, one on
14 February 24th, one on February 27th, one on March 5th.

15 Was there anything else that you discussed
16 orally with Ms. Gugliotta about your complaints about
17 things going on on the tour?

18 A. Okay. These are things that I believe I have
19 already said in the deposition so far but not in this
20 section that I will just go over again to make sure that
21 I'm clear.

22 We definitely discussed the, like, racial
23 stereotypes that were being used as, like, a way to
24 bully the Big Grrrls. And Lizzo, we discussed the
25 inappropriate conversations about Beyonce and other

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1 black female stars. We also discussed the inappropriate
2 conversations about sex, drugs, sex workers that went on
3 with the crew including Amanda. I definitely also told
4 her about the situation where Amanda said that she would
5 kill a bitch and stab a bitch, the situation about her
6 medication being lost, complaints about Molly not --
7 Molly/Amanda not giving the Big Grrrls the
8 accommodations they needed, being denied medical care.
9 I think -- I believe that's everything.

10 Q. Okay. Now, you heard Ms. Gugliotta's testimony
11 yesterday, correct?

12 A. Yes.

13 Q. She testified you didn't talk about any of
14 these things with her. So is it your opinion that she
15 was lying in her testimony yesterday?

16 MR. ZAMBRANO: Argumentative.

17 Please answer.

18 THE WITNESS: Yes.

19 BY MR. WEINSTEN:

20 Q. Okay.

21 A. About that part.

22 Q. Just to be clear, she was the one looking out
23 for you throughout this whole process; isn't that right?

24 MR. ZAMBRANO: Assumes facts.

25 Please answer.

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1 BY MR. WEINSTEN:

2 Q. Just to be clear, sitting here today you think
3 Ms. Gugliotta who does not work for Lizzo anymore is a
4 liar because you said all of these things to her that
5 she denied you ever saying to her; that's your testimony
6 just so that we are clear on the record under penalty of
7 perjury?

8 MR. ZAMBRANO: Argumentative.

9 Please answer.

10 BY MR. WEINSTEN:

11 Q. You can answer.

12 A. I'm saying that if she did not say these things
13 and was asked them, then yes, that would be a lie.

14 Q. Let me ask you this: Why is none of these
15 things about the drugs, the kill a bitch, the racial
16 overtones, why is none of that stuff in the text
17 messages that you sent to Ms. Gugliotta? Those things
18 sound much more serious than the things that are
19 actually mentioned in the texts. Why did you leave
20 those out?

21 MR. ZAMBRANO: Argumentative, vague and
22 ambiguous as asked, misstates testimony, assumes facts.

23 Please answer.

24 MR. WEINSTEN: Let me rephrase the question.

25 Let me restate the question.

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1 Q. Why did you not mention any of those things in
2 the actual written complaints that you made to
3 Ms. Gugliotta?

4 MR. ZAMBRANO: Same objections. Please answer.

5 THE WITNESS: So I did mention some of those
6 that you just listed but as I said --

7 BY MR. WEINSTEN:

8 Q. Where do you talk about the drugs? Let's just
9 go through it one at a time.

10 Where do you talk about the drugs to
11 Ms. Gugliotta in the text?

12 MR. ZAMBRANO: So his focus is what is in
13 writing right now.

14 THE WITNESS: Yes.

15 MR. ZAMBRANO: So --

16 BY MR. WEINSTEN:

17 Q. I'm asking you: You made testimony that
18 Ms. Gugliotta is a liar, you went and complained to her
19 about all of these things, none of which show up in your
20 very detailed, meticulous texts to Ms. Gugliotta.

21 My question to you is: Why didn't you mention
22 the drugs in the texts to Ms. Gugliotta?

23 MR. ZAMBRANO: Objection as to the preamble.

24 Please answer.

25 THE WITNESS: Okay. I'm sorry. It's a little

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1 confusing because I was ready to answer your first
2 question.

3 MR. WEINSTEN: That question is withdrawn. I
4 have a new question for you.

5 THE WITNESS: Okay.

6 BY MR. WEINSTEN:

7 Q. Why you did not mention the drugs in the texts
8 to Ms. Gugliotta?

9 A. There were a lot of things that I did not
10 mention because a lot was going on so I mentioned to her
11 what I could and we discussed the rest in person.

12 Q. Okay. Why didn't you mention the drugs? Was
13 it not important to you?

14 A. It was obviously important to me and I did
15 mention them.

16 Q. Why didn't you put it in writing? Where is it
17 in the texts?

18 A. Not everything has to be in texts obviously.

19 Q. Okay. So did you put anywhere in these texts
20 about Amanda saying that she would kill a bitch?

21 A. Not that I see here, but it's definitely
22 something we discussed in person.

23 Q. Why didn't you put it in the texts?

24 MR. ZAMBRANO: Well, the document speaks for
25 itself. It actually is in the texts.

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1 MR. WEINSTEN: That one is not in the texts.

2 MR. ZAMBRANO: I'm confusing it with another
3 one.

4 Go ahead.

5 THE WITNESS: Okay.

6 BY MR. WEINSTEN:

7 Q. Why is it not in the texts?

8 A. So when I was able to talk to Carlina, my phone
9 was broken so I had to use my iPad to send her messages,
10 and I was often in a room isolated with Amanda so the
11 things that I did put in the texts were what I could fit
12 into a conversation without Amanda seeing me, and I
13 would put my -- you know, my iPad away so that she
14 wouldn't know that I was complaining.

15 Q. Why didn't you put any of the stuff about Molly
16 in the texts?

17 A. For the same reason. I was trying to, like,
18 find a moment where Amanda was not with me to pull my
19 iPad out to be able to send her these messages.

20 Q. Okay. Other than Ms. Gugliotta, did you
21 complain to anybody else about your treatment at --
22 during the tour?

23 A. Yes.

24 Q. Who else?

25 A. So I told pieces of this, of course, to the

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1 young woman that I mentioned before that I don't
2 remember her name but she was on our bus, she worked in
3 catering. I can't remember her name. But I talked to
4 her about some of it. I talked to Dulce about some of
5 it.

6 Q. Did you talk to Chris Coffie?

7 A. It's possible but I -- honestly I was never
8 formally introduced to Chris Coffie so I don't know if
9 he is someone that I talked to or not. There were a lot
10 of people that I'm, like, I don't know their names
11 because I wasn't introduced to them.

12 Q. Let's focus on management.

13 Other than Ms. Gugliotta did you speak to
14 anybody in management about your complaints?

15 A. I talked to Dulce.

16 Q. Okay. Is she the only one?

17 A. Like I said, I might have talked to Chris but I
18 can't put a face to his name so I wouldn't know.

19 Q. Okay. Did you put any of your complaints in
20 writing to Dulce?

21 A. No.

22 Q. Any reason for that?

23 A. Like I said, I didn't have a phone, I only had
24 my iPhone -- my iPad, I'm sorry, and I didn't have
25 Dulce's direct contact and I was pretty afraid to talk

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1 to anybody about it. And when I found Carlina I kind of
2 felt like hopefully this is someone that I can trust
3 with reporting these things to.

4 Q. Okay. What did you report to Dulce?

5 A. So to Dulce -- Dulce and Amanda got into a
6 pretty big argument -- like actually several pretty big
7 arguments, so the situation I told you about in part one
8 of my deposition where I couldn't find my walkie-talkie
9 and she -- Dulce had it or helped me find it, I can't
10 really remember, and so then I told her, like, you know,
11 thank God, Amanda didn't tell me that -- all this stuff
12 about if you lose it, it's a ton of money to replace it,
13 and she told me not to talk to anyone and to just find
14 it which was kind of an impossible task. And she was
15 like, "Yeah, sorry, Amanda's like that, she can just be
16 a nightmare," and we had like a conversation just about,
17 like, Dulce telling me how Amanda had just done things
18 to be mean to her and she just noted that she could also
19 see that Amanda was bullying me. And so we talked about
20 just, like, smaller level things than what I talked
21 about with Carlina, about her, you know, telling me not
22 to talk to anyone. She would see me in the middle of
23 the day and see that I was just sad and kind of, like,
24 broken down, and she would be, like, you know, "Keep
25 your head up" kind of thing.

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1 Q. Anything else that you discussed with Dulce
2 that you haven't testified to so far?

3 A. That's what I can remember at the moment.

4 Q. Okay. So if you go in Exhibit 25 at page 26,
5 in the second to the last text message there you write
6 to Carlina:

7 "OK - yes that's amazing & makes me so
8 happy! I'd love to hang in Cologne! I
9 truly have felt very welcomed by this
10 team and would love for the rest of
11 this tour to be a positive experience."

12 Were you being truthful when you said that?

13 MR. ZAMBRANO: Compound as asked.

14 Please answer.

15 Actually withdrawn. Vague as asked.

16 Please answer.

17 THE WITNESS: Okay. Can you say the question
18 again.

19 BY MR. WEINSTEN:

20 Q. You stated to Ms. Gugliotta in a text from
21 February 24th at the time that you were voicing all of
22 these complaints about your horrible time on the tour
23 and you said that you "truly have felt very welcomed by
24 this team and would love for the rest of the tour to be
25 a positive experience."

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1 Were you being truthful in that statement, yes
2 or no?

3 A. Yes. And to be specific I was talking about
4 the Big Grrrls, the background singers, the background
5 musicians, Bree Runway and her team, like they were
6 definitely being -- and the few people, like the woman
7 in catering that I mentioned, and the caterer who looked
8 out for me when I had the allergic reaction so yes.

9 MR. WEINSTEN: Okay. Why don't we take a
10 break. We've been going a little over an hour and then
11 come back.

12 What do you guys want, five? Ten?

13 THE VIDEOGRAPHER: We are off the record at
14 10:52 a.m.

15 (Recess taken from 10:52 a.m.
16 to 11:12 a.m.)

17 THE VIDEOGRAPHER: We are back on the record at
18 11:12 a.m.

19 MR. WEINSTEN: I am going to mark as
20 Exhibit 29, this is a series of hotel vouchers for the
21 European leg of the tour. Specifically vouchers for
22 you. Everybody else is redacted other than yours. So
23 the document for the record is Bates numbered COF_000126
24 through 000137. These are documents that were produced
25 by Mr. Coffie in this case, Chris Coffie, production

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1 manager for the tour.

2 (Deposition Exhibit 29 was marked.)

3 BY MR. WEINSTEN:

4 Q. Let me just walk through these with you very
5 quickly. So the first page of this document, which is
6 page Bates numbered -126, is a hotel voucher for Oslo.

7 Do you recall staying in a hotel in Oslo?

8 A. Yes.

9 Q. Okay. If you flip two more pages to -128 this
10 shows you staying in a hotel in Hamburg from
11 February 19th to February 20th.

12 Do you recall that?

13 A. I remember being in Hamburg, but I can't say
14 that I remember being in a hotel.

15 Q. You have no reason to deny that you actually
16 stayed in a hotel --

17 A. No.

18 Q. -- given that Mr. Coffie, the production
19 manager, has a voucher for you to stay in that hotel?

20 A. Yeah. No.

21 Q. Then if you flip to page -130 this shows a
22 hotel voucher for you for Amsterdam from February 20th
23 to February 23rd.

24 Do you have any reason to believe that you
25 didn't stay in a hotel in Amsterdam from February 20th

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1 to February 23rd?

2 A. No.

3 Q. Okay. And by the way, this is after you
4 injured your ankle; isn't that right?

5 A. Yes.

6 Q. Okay. So did the hotel in Amsterdam have ice?

7 A. Yes. I'm sure.

8 Q. By the way --

9 A. I shouldn't say yes. I'm sure.

10 Q. -- when did --

11 And you could have gotten pain medication in
12 the hotel as well, correct?

13 A. Not necessarily.

14 Q. Not necessarily. Did you ask?

15 A. I don't have a memory of being in this hotel
16 asking for pain medication but this -- we're talking
17 about Amsterdam?

18 Q. Yes. This three days in Amsterdam.

19 A. This is when the guy that I was dating at the
20 time visited me and he brought me some Tylenol.

21 Q. Okay. So you had pain medication.

22 A. Yes.

23 Q. Thank you. You left that part out of your
24 prior testimony.

25 So can you turn to page -132.

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1 A. Yes.

2 Q. This shows you staying in Cologne at a hotel
3 from February 24th to February 27th.

4 Do you recall that?

5 A. Same thing. I know I went to Cologne. I can't
6 say I necessarily remember the hotel but --

7 Q. Do you deny --

8 A. -- I have no reason to not believe it.

9 Q. Okay. Let's go to page -134. This shows you
10 staying in a hotel in Milan from March 1 to March 2.

11 Do you have any reason to believe that you
12 didn't stay in a hotel from March 1 to March 2?

13 A. No.

14 Q. And then this is -- go to page -136, this shows
15 Paris you staying in a hotel March 3rd to March 5th.

16 Is there any reason to doubt that you stayed in
17 a hotel in Paris from March 3rd to March 5th?

18 A. No.

19 Q. So, in fact, the majority of the time on the
20 tour you were actually staying in hotels not in the
21 bunks; isn't that right?

22 MR. ZAMBRANO: Vague as asked.

23 Please answer.

24 THE WITNESS: Yeah, I'm a little confused by
25 the question.

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1 BY MR. WEINSTEN:

2 Q. You were on tour for 18 days; isn't that right?

3 A. I don't know the exact number.

4 Q. From February 14th -- Actually the tour started
5 on the 17th. So it's actually less than 18 days. One,
6 two, three, four, five, six, seven, eight, nine, ten,
7 eleven, twelve, thirteen, fourteen, fifteen, sixteen --
8 seventeen days. You were on tour for seventeen days;
9 isn't that right?

10 A. I wouldn't feel comfortable unless I saw it and
11 counted it myself, but I have no reason not to believe
12 that.

13 Q. Okay. Well, you testified earlier when you
14 started and when you stopped; isn't that right?

15 A. Approximately what I believe.

16 Q. It's about 18 days. Okay. And we have
17 vouchers here showing that you're staying in hotels for
18 12 of those days; is that right?

19 A. You have vouchers showing my stays. Like I
20 said, I can't fully attest to all of them but I'm not
21 disputing it.

22 Q. Because earlier you testified that you rarely
23 stayed in hotels and that was inaccurate, isn't it?

24 A. No.

25 Q. Okay. Now, the evening of March 4th, that was

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1 a travel day --

2 March 4th was a travel day -- is that

3 correct? -- on the way to Paris?

4 A. I'm not sure. I couldn't tell you.

5 Q. Let's put it this way: You know you were in

6 Paris for a show on the 5th -- isn't that right? --

7 that's when you got fired?

8 A. I believe so, but like I said, I -- that's not

9 something I just can recall perfectly.

10 Q. Okay. So you don't know what you were doing

11 the day before?

12 MR. ZAMBRANO: Before what?

13 MR. WEINSTEN: Before the day you got fired.

14 THE WITNESS: I would have to look at some,

15 like, evidence documents to know exactly but...

16 BY MR. WEINSTEN:

17 Q. I mean, I can show them to you but the bottom

18 line is you just don't remember. Okay. Fine.

19 The evening --

20 What did you do the evening before March 5th,

21 the day you got fired? What did you do that night?

22 A. I believe that I went out for a dinner with

23 Bree Runway's tour manager and I believe her

24 videographer, two other guys, I think her videographer

25 and someone else who worked on the tour with her.

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1 Q. Okay. And where did you go for dinner?

2 A. I couldn't tell you. Some maybe Italian spot.

3 I couldn't remember. Some nice restaurant.

4 Q. Was anybody drinking at the dinner?

5 A. Yes.

6 Q. Were you drinking at the dinner?

7 A. I believe I had a drink, but I can't say for
8 sure what it was.

9 Q. How many drinks did you have that night?

10 A. Not a lot. Maybe one glass of wine, but like I
11 said, I can't remember exactly.

12 Q. Could it have been more than three or four?

13 A. No.

14 Q. And when you went to bed that night, how did
15 you feel?

16 A. Fine.

17 Q. Okay. And you woke up the next --

18 By the way, what time did you get home that
19 evening?

20 A. I'm not sure. And I guess I should say I felt
21 fine as in I did not feel sick at that point.

22 Q. That's what I'm getting at.

23 A. Yes.

24 Q. So on March 4th you went to dinner.

25 Do you know about what time you went to dinner?

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1 A. I don't.

2 Q. How long was the dinner?

3 A. I couldn't tell you. It was probably about --
4 like at least an hour and a half, my guess.

5 Q. And you went to bed and you felt fine?

6 A. Yes. But -- Yes.

7 Q. Okay. What time did you wake up the next day?

8 A. I couldn't tell you. I would have to look at,
9 like, what the schedule was for the day.

10 Q. Didn't you testify that you were doing things
11 in the morning, you know, at work?

12 A. So I think if I look at some of this, I can --
13 Okay.

14 MR. WEINSTEN: I will give you the schedule.
15 We are up to 30?

16 MS. MALLONEE: Yes.

17 MR. WEINSTEN: I'm just going mark this as 30.
18 You guys can look at it together.

19 THE WITNESS: Okay.

20 MR. WEINSTEN: That's the schedule for the day.

21 THE WITNESS: Okay.

22 (Deposition Exhibit 30 was marked.)

23 BY MR. WEINSTEN:

24 Q. Does that refresh your recollection as to what
25 time you got to work?

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1 MR. ZAMBRANO: I'm sorry. Is this an exhibit
2 that we get a copy of?
3 MR. WEINSTEN: Yeah. You're going to have to
4 look on with her. I don't have a copy.
5 MR. ZAMBRANO: Go ahead and answer the question
6 and hand it to me.
7 THE WITNESS: So the schedule says that the day
8 started at 6:00 a.m. And, yeah, my guess would be that
9 I started probably a little bit earlier than 6:00.
10 Q. Okay. What time did you wake up?
11 A. I couldn't tell you exactly what time I woke
12 up.
13 Q. Typically what time -- how much before the
14 workday starts do you typically get up and start getting
15 dressed and all of that?
16 A. Probably an hour before. Something like that.
17 Q. And according to what we saw you were sleeping
18 in a hotel that night; is that right?
19 A. I believe so.
20 Q. Okay. So, let's say, you got up about
21 approximately 5:00 a.m. Does that about right?
22 A. Yeah, about.
23 Q. How did you feel when you woke up?
24 A. I don't remember, like, feeling poorly at that
25 point necessarily.

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1 Q. Okay. Then you get to work presumably
2 somewhere close to 6 o'clock. How did you feel when you
3 got to work?

4 Actually, let me back up a second. When you
5 got up that morning, what was -- what was the first
6 thing you did? Did you go to breakfast?

7 A. So once again I cannot perfectly recall my
8 morning, but normally I would get up, I would do my
9 makeup, get dressed, maybe take a shower if I didn't the
10 night before, which I can't recall if I did it the night
11 before or that morning, and then try to grab something
12 to eat.

13 Q. Okay. And did you eat at the hotel that
14 morning?

15 A. I can't remember if I ate at the hotel. My
16 guess is that I probably ate something out of catering.
17 I don't have a perfect memory of what I ate for
18 breakfast.

19 Q. Do they serve breakfast at catering?

20 A. Yes, they do.

21 Q. Okay. And what time would that have been?

22 A. I don't know exactly what time. It was
23 probably whenever I could find a second to grab
24 something quick.

25 Q. Okay. Can I have that back, please. I will

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1 give this back to you in a minute. Okay. And then --

2 So you get to work, probably ate something at
3 some point in time. What was the first thing you did at
4 work?

5 A. The first thing I did at work was -- So I can't
6 recall if we did a load in that day. I'm thinking we
7 didn't but I can't recall.

8 Q. Okay.

9 A. If we didn't, it would have been a load in.
10 But I don't think we did a load in that day.

11 Q. What is a "load in"?

12 A. A load in -- What I've been telling you that
13 I'm not supposed -- I was told before I came on tour
14 that I would not be responsible for doing and then I was
15 told I was, so it would be moving these really heavy
16 cases that have wheels on them to get them into the
17 correct rooms. And there was like -- Every place we
18 went there was a big group of mostly men who did it for
19 us, but I was forced into doing that work.

20 Q. Okay. But sitting here today you don't recall
21 doing a load in. Assuming you didn't do a load in, what
22 was the first thing that you did when you got to work?

23 A. I probably figured out who the locals were and
24 just gave them, like, a lay of the land, told them what
25 we would be doing for that day, like what our timeline

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1 was to hit certain tasks at a certain time to keep us on
2 a good schedule.

3 Q. Okay. According to this the first local call
4 is at 7:00; is that right?

5 A. If it says 7:00 here, that's probably around --
6 MR. ZAMBRANO: He has it.

7 THE WITNESS: Okay. It's probably around what
8 time they came but locals sometimes came earlier,
9 sometimes later. It really just depended.

10 Q. Okay. There's something here called a walk and
11 chalk. What is a walk and chalk?

12 A. So I'm not exactly sure, but I believe that has
13 something to do with the people putting the staple
14 together, maybe outlining stuff, but I'm not exactly
15 sure.

16 Q. Okay. And then there is something here called
17 a lobby call for transport to venue at 7:00 a.m. What
18 does that mean?

19 A. So if we were staying at a hotel, we had to be
20 in the lobby at a certain time to get on the bus to be
21 driven to the venue.

22 Q. Okay. And then there's a second local call at
23 8:00 a.m. What does that mean?

24 A. So the locals came in waves, but ours usually
25 came at the same time so there were a lot of local

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1 sound check at 4:00 p.m.

2 What occurs between this third local call and
3 the sound check? What other work is there for you to
4 do?

5 A. So I get there in the morning, I talk to the
6 locals, give them the lay of the land, and then start,
7 you know, delegating tasks of who is going to do what.
8 Usually I would have some locals working on sewing
9 fishnet stockings that had been ripped, which would be
10 ripped every tour stop, so some of them would sit and
11 sew. Then we would also start washing the dancers'
12 clothing, drying them. Some of the locals would work on
13 hand washing Lizzo's garments and then I would just kind
14 of get in wherever I could fit in depending on, like,
15 where the need was and oversee everything and make sure
16 we would be on time.

17 Q. Okay. So between --

18 Based on your testimony am I correct that
19 between 5:00 and 9:00 a.m. you weren't hung over or
20 anything like that?

21 A. Absolutely not.

22 Q. You were getting your job done perfectly?

23 A. Absolutely.

24 Q. No problems at all?

25 A. Vague. Can you be a little more specific?

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1 Q. You were feeling good, you were starting the
2 day, getting ready for the show, doing your job from
3 5:00 to 9:00; is that correct?

4 A. No, that's not correct.

5 Q. Okay.

6 A. So at some point in -- Like I said, I wasn't
7 given medical attention so I'm guessing, I'm not a
8 medical professional myself, I believe I ate something
9 that morning that made me start to feel that allergic
10 reaction.

11 Q. Okay. What did you eat that morning?

12 A. I don't recall exactly what I ate.

13 Q. What food allergies do you have?

14 A. I'm allergic to processed orange juice.

15 Q. Did you have orange juice that morning?

16 A. Not that I know of but it's possible.

17 Q. Are you --

18 Is it possible that you had orange juice
19 without knowing it? Do you know to stay away from
20 orange juice because you are allergic to you?

21 A. Of course I do, but like most people with
22 allergies sometimes there's orange juice in something
23 that you -- you know, it's not listed, and you drink it
24 and then you're like wait a minute, whatever.

25 But I will say I don't believe it was orange

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1 juice that caused the reaction, and I'm not sure exactly
2 what it was that caused the reaction.

3 Q. Okay. Well, how do you know it was --

4 By the way, are you allergic to anything else
5 other than orange juice?

6 A. I'm allergic to dust but not any other food
7 allergies that I know of.

8 Q. When you were at the hotel, were you near any
9 dust?

10 A. I don't think it was a dust reaction.

11 Q. Okay.

12 A. I believe it was food related.

13 Q. Okay. And so sitting here today you are not
14 aware of any other food allergies you have other than
15 orange juice?

16 A. Yes. And I don't know what it was that gave me
17 that reaction.

18 Q. Okay. So you don't know if it was an allergic
19 reaction; isn't that right?

20 A. That is correct. I wasn't given medical
21 attention, so like I said, I'm not a medical
22 professional.

23 Q. Okay. And then --

24 At what time did this feeling --

25 When did you start to feel bad that day?

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1 A. It would have been that morning, and I see I
2 told Carlina about it at 9:15 a.m. So that sounds
3 right, that I, like, probably grabbed something -- Like
4 I said, it might not have been food but I probably
5 grabbed something, ate it on the go and then started
6 feeling bad that morning.

7 Q. At what time did you start feeling bad?

8 A. I can't give you an exact time, but it was
9 definitely before 9:15 a.m.

10 Q. Was it an hour earlier than when you texted
11 Carlina?

12 A. I'm not exactly sure but probably around that
13 time.

14 Q. Okay. Probably around 9:15 or an hour earlier?

15 A. Probably around an hour earlier.

16 Q. Okay. So at that point in time you're doing
17 the load in or not doing the load in when you started to
18 feel whatever you were feeling?

19 A. I don't have a memory of doing the load in.
20 It's not to say that it didn't happen that day, but I --
21 that morning I have memories of doing the stuff with the
22 garments and the costumes.

23 Q. Okay. And when did --

24 So when you started feeling whatever it was
25 that you were feeling, were you nauseous?

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1 A. I would say yes, but not in a way that I needed
2 to throw up. Like I felt unsettled, like my stomach
3 felt unsettled.

4 Q. So was the issue a stomach issue then?

5 A. So it was partially stomach. I felt -- Like my
6 stomach felt unsettled. My body felt -- Like I kind of
7 felt out of body and my skin felt itchy but like not
8 rash itchy, just kind of like inflamed maybe, and I just
9 felt like a little dizzy, a little woozy.

10 Q. Okay. Other than feeling a little woozy and
11 the partial stomach and the itchy -- partial stomach
12 problem and the itchy skin, did you have any other
13 symptoms?

14 A. I probably had a headache.

15 Q. Probably or you did?

16 A. Well, I often had a headache on tour, so I'm
17 sure I had a headache as well, but I don't know if that
18 is a direct reflection of the allergic reaction.

19 Q. Had you ever had an allergic reaction ever in
20 your life other than to orange juice and dust?

21 A. Yes.

22 Q. To what?

23 A. I'm not sure. Like probably when I was a kid,
24 something that I hardly remember. But I know I've had,
25 like, a few allergic reactions in my life.

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1 correct?

2 A. That is correct. But my skin felt inflamed,
3 like I said.

4 Q. Okay. So when the symptoms came on you think
5 it was before 9:15. This says that you were -- this is
6 the third local call. You didn't know what that was.
7 What were you doing between 9:00 a.m. and 4:00 p.m. with
8 the Bree Runway sound check? Walk me through your day.
9 What did you do?

10 A. Okay. So between 9:00 a.m. -- Can I see that
11 piece of evidence again. I think that might help me.

12 Q. There is nothing there. That's why I'm asking
13 you.

14 A. Okay. So let me look at it.

15 Between 9:00 a.m. and 4:00 p.m., so once again,
16 I'm not going to know an exact timeline, but that work
17 it like takes up your morning, and so once the costumes
18 are already being washed and in the process of being
19 dried that was a good point that I knew that I could
20 take a break which I had never taken before.

21 Q. Okay. How long was the break?

22 A. I went and took a nap on the bus for probably
23 30 minutes. It wasn't long.

24 Q. About what time was that?

25 A. Once again, I'm not exactly sure, but it was

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1 probably maybe around 11:00 a.m. but that would be me
2 guessing.

3 Q. Okay. And then after your nap did you -- what
4 did you do after that? Did you go back to work?

5 A. So after my nap I still didn't feel good and I
6 went to the cafeteria and I talked to one of the chefs
7 that I was friendly with. He had known that I wasn't
8 feeling good and he gave me a pill.

9 Q. By the way, why did you go to the cafeteria?

10 A. Because like I said, I had a few people in
11 catering that I was friendly with.

12 Q. Okay. What did that have to do with --

13 Were you going to the cafeteria to do work?
14 Were you going there to eat? What were you going there
15 to do?

16 A. I was going there to see if someone had
17 something that could help me.

18 Q. Okay. And at that point somebody did have
19 something that could help you?

20 A. Yes.

21 Q. And remind me who was the person?

22 A. It was a man in catering. I don't remember his
23 name.

24 Q. And you don't know what he gave you, he just
25 gave you some drug?

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1 A. He explained to me what it was at the time, but
2 yeah, like, it really -- I don't know what it was, but
3 he was like this is for allergic reactions.

4 Q. So you just took some random drug --

5 You didn't know if you really had an allergic
6 reaction, you didn't know what the symptoms -- I'm
7 sorry, not the symptoms -- you didn't know what you had,
8 some guy gives you just a random drug that you don't
9 know what it is and you take it?

10 MR. ZAMBRANO: Argumentative.

11 Please answer.

12 BY MR. WEINSTEN:

13 Q. Is that your testimony?

14 MR. ZAMBRANO: Argumentative.

15 Please, answer.

16 THE WITNESS: Okay. Yeah. I was desperate. I
17 wasn't feeling good. I knew I had to get through the
18 rest of my workday, and I had taken a nap, I still
19 wasn't feeling good and he was someone that I -- I can't
20 say I fully trusted but I trusted enough to take the
21 pill that he gave me.

22 BY MR. WEINSTEN:

23 Q. Was it a prescription drug?

24 A. I don't remember. I don't know. I couldn't
25 even tell you the name of it.

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1 Q. What color was it?

2 A. I don't remember.

3 Q. Was it a capsule or a pill?

4 A. I don't remember.

5 Q. Can you tell me anything about this drug that
6 would help me identify what it is?

7 A. No. I honestly don't remember. It was one
8 pill, though.

9 Q. So you took a pill from a guy without knowing
10 what it is. How soon before the pill started to kick in
11 when you started to feel better?

12 MR. ZAMBRANO: Argumentative.

13 Please answer.

14 THE WITNESS: For clarity, he did tell me what
15 it was and some other people, like, vouched, like, "Oh,
16 yeah, that is something that I take," so I did as best
17 as I could to make sure that it was something that was
18 going to help me. And he told me to promise him that if
19 I took it I would sit down and eat because it was one of
20 those pills that if you eat it on an empty stomach it
21 would make you throw up.

22 Q. Did you eat?

23 A. Yes, I did.

24 Q. What did you eat?

25 A. I don't remember.

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1 Q. Okay. So you're in the cafeteria somewhere
2 around 11 o'clock, you're not exactly sure, you take the
3 pill, you sit down to eat. How long were you in the
4 cafeteria?

5 A. Probably around 20 minutes. I can't say for
6 sure.

7 Q. Okay. When did you start feeling better? When
8 did the pill start kicking in?

9 A. Once again, I can't say for sure but it
10 probably took about an hour.

11 Q. Okay. Did you do any work prior to the pill
12 kicking in and making you feel better?

13 A. Yes.

14 Q. Okay. What were you doing then?

15 A. So once I sat down to eat Amanda came in and
16 yelled at me in front of everyone and so I finished the
17 little bit that I could and then I went back and began
18 helping the locals with the mending of the garments, and
19 just getting everything, like, hung up and set for the
20 night.

21 Q. Okay. How long were you helping the locals
22 mending garments?

23 A. I couldn't give you an exact time, but it
24 started in the morning and -- I could see what time
25 Carlina came around to talk to me. I think she said

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1 least three occasions that you -- that she claimed you
2 showed up late for work; is that correct?

3 A. No.

4 Q. Okay. She never once told you you were being
5 late for work; is that your testimony?

6 A. No.

7 Q. Do you want to think about that before you
8 answer that question?

9 MR. ZAMBRANO: Mike --

10 THE WITNESS: I'm thinking about it.

11 BY MR. WEINSTEN:

12 Q. Did Ms. Nomura --

13 MR. ZAMBRANO: Hold on. Hold on.

14 MR. WEINSTEN: Let me withdraw the question. I
15 am going to ask it fresh.

16 THE WITNESS: Okay.

17 BY MR. WEINSTEN:

18 Q. Did Ms. Nomura ever complain to you that you
19 were late for work, yes or no?

20 A. So I would say not to my memory, but I was
21 never late so...

22 Q. That's not the question.

23 MR. ZAMBRANO: He's just asking --

24 BY MR. WEINSTEN:

25 Q. Did she ever complain to you that you were late

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1 for work?

2 A. Not to my memory, but it's possible.

3 Q. Did Ms. Nomura ever complain to you that you
4 were refusing to take direction from her including with
5 respect to footwear?

6 A. Can you say the question again.

7 Q. Did Ms. Nomura ever complain to you that you
8 were not taking direction including with respect to
9 footwear?

10 A. Ms. Nomura would yell at me about the footwear
11 situation, and yeah, like I wouldn't necessarily
12 consider it a complaint.

13 Q. Okay. Did she ever complain to you about
14 submitting designs that she believed were not your
15 original designs?

16 A. Never.

17 Q. Did she ever complain to you that you left
18 early and failed to load wardrobe cases?

19 A. Yes, she did, which was not true by the way.

20 Q. Now, was --

21 Damion was your boyfriend?

22 A. He was a guy that I was dating exclusively but
23 not my boyfriend.

24 Q. And you would text with him when you were on
25 tour?

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1 A. When I could.

2 Q. Let me introduce --

3 What are we up to? 31?

4 THE COURT REPORTER: Yes.

5 MR. WEINSTEN: Introduce as Exhibit 31, this is
6 some text messages with Damion.

7 MR. ZAMBRANO: Thank you.

8 (Deposition Exhibit 31 was marked.)

9 BY MR. WEINSTEN:

10 Q. Am I correct that this is --

11 By the way, the document is Bates numbered
12 DAN000035. It's a document that you produced in the
13 case or your counsel produced for you.

14 If you go down to just below the middle of the
15 page you write:

16 "I know babe, it's not that - I don't
17 like the way these white people on
18 production operate."

19 Do you see that?

20 A. Yes.

21 Q. Okay. And who were you --

22 Which white people were you complaining about?

23 A. So I'm talking about the way they operate on a
24 moral level and so that's obviously Amanda that I'm
25 talking about.

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1 Q. What other white people were you complaining
2 about?

3 A. So I don't remember exactly everything that I
4 was able to tell him but obviously Amanda, probably
5 Molly.

6 Q. What other white people were you complaining
7 about?

8 A. To the best of my memory I'm guessing that's
9 what I was talking about at this point.

10 Q. Okay. So my question to you then is: Why did
11 you say to your boyfriend that "I don't like the way
12 these white people on production operate" instead of
13 saying "I don't like the way my boss operates"? Why
14 were you referring to them by their color instead of by
15 their titles or who they were?

16 MR. ZAMBRANO: Argumentative.

17 Please answer.

18 THE WITNESS: So first for clarification, like
19 I said, he was not my boyfriend, I was dating him
20 exclusively, but one of the big things we talked about
21 was my surprise when I got there that everybody on stage
22 with Lizzo was a black woman for the most part, and
23 everyone backstage was white, and so he knew that I was
24 surprised by that because what Lizzo stands for is black
25 women and black empowerment and so I was shocked to see

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1 that her management and her back of house did not
2 reflect the celebrity that she faces the world with. So
3 he knew that I was surprised by that, and then, of
4 course, the fact that the back of stage and her
5 management was mostly white, there were a lot of things
6 like microaggressions and racism that are relevant to
7 the fact that they are white people.

8 BY MR. WEINSTEN:

9 Q. You are talking about two people that you are
10 complaining about. Why are you referring to them as
11 white people instead of by their names or by their title
12 or by their position?

13 MR. ZAMBRANO: Hold on. Argumentative and
14 asked and answered.

15 Answer it again.

16 THE WITNESS: Okay. So once again, those are
17 two specific people but I had already told him that the
18 back of house is mostly white, and I was shocked by
19 that. I was the only black woman that I knew that
20 worked backstage. And so, of course, I felt alienated
21 by that and I had already told him about a lot of
22 microaggressions and racism that I had experienced and
23 witnessed and so that's why it's relevant.

24 BY MR. WEINSTEN:

25 Q. Okay. So you're talking about here all the

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1 white people in production; is that your testimony now?

2 A. No.

3 MR. ZAMBRANO: Misstates testimony.

4 BY MR. WEINSTEN:

5 Q. And, in fact, you were not the only black
6 person that is behind the scenes on the tour; isn't that
7 right?

8 A. So Carlina told me in a text that there was a
9 black woman that -- one black woman that she would
10 introduce me to. She never introduced me to her and I
11 never saw her.

12 Q. Are you --

13 The question was: Am I correct you were not,
14 in fact, the only black person working behind the
15 scenes; isn't that right?

16 MR. ZAMBRANO: Calls for speculation.

17 Please answer.

18 THE WITNESS: I'm the only black person that I
19 ever saw or knew of that worked behind the scenes.

20 BY MR. WEINSTEN:

21 Q. So am I correct that you had a problem with the
22 fact that despite the fact that all the dancers and
23 Lizzo herself were black, you had an issue with the fact
24 that there were many white people working behind the
25 scenes? That's your -- Is that correct?

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1 MR. ZAMBRANO: Argumentative, vague and
2 ambiguous.

3 Please answer.

4 BY MR. WEINSTEN:

5 Q. Did you have a problem with the fact that there
6 were many white people working behind the scenes when
7 the dancers and the people on the stage were all black?

8 MR. ZAMBRANO: Argumentative as phrased.

9 Please answer.

10 THE WITNESS: I had an issue with the output of
11 the fact that the majority of her backstage and
12 management was white because it caused for a lot of
13 racism and microaggressions and things that were
14 anti-black and anti-female.

15 BY MR. WEINSTEN:

16 Q. You just testified a minute ago there's only
17 two people you were complaining about --

18 MR. ZAMBRANO: Hold on.

19 BY MR. WEINSTEN:

20 Q. -- Molly and -- and --

21 Actually I will withdraw the question. I think
22 I've got what I need on this.

23 You were paid --

24 After you were terminated they still paid you
25 through the end of the tour even though you didn't work

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1 until the end of the tour; isn't that right?

2 A. I am not exactly sure of what the final amount
3 was, but I know that Carlina told me that she would make
4 sure that that happened.

5 Q. And you have no reason to doubt that you were,
6 in fact, paid to the end of the tour even though you
7 didn't work to the end of tour; isn't that right?

8 A. Can you say that again.

9 Q. You have no reason to doubt Ms. Gugliotta's
10 testimony that you were, in fact, paid to the end of the
11 tour even though you didn't work to the end of the tour?

12 A. I'm sorry. Can you say it in a different way.

13 MR. WEINSTEN: Read the question back and why
14 don't you tell me which part of that question you don't
15 understand.

16 THE WITNESS: Okay.

17 (Record read as follows:

18 "Question: You have no reason to doubt
19 Ms. Gugliotta's testimony that you
20 were, in fact, paid to the end of the
21 tour even though you didn't work to the
22 end of the tour?")

23 THE WITNESS: So it's a hard question to ask
24 because like I said, I don't know the final number, and
25 I would have to, like, look through records to be able

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1 to tell you, but also I think that kind of glosses over
2 the fact that I worked much more hours than I was
3 supposed to --

4 BY MR. WEINSTEN:

5 Q. That's not the point.

6 A. -- so it's a hard --

7 Q. Hold on. Hold on.

8 A. -- so it's a hard question to give a simple
9 answer to.

10 Q. It's a hard question to say that the answer is
11 you don't know whether or not you got paid to the end of
12 the tour and since you don't know you can't deny
13 Ms. Gugliotta's testimony that she paid you to the end
14 of the tour; isn't that right?

15 MR. ZAMBRANO: Vague and ambiguous and
16 argumentative.

17 Go ahead and answer.

18 THE WITNESS: Can you say it like in a
19 simple -- Can you make the question simple.

20 MR. WEINSTEN: You know what, I'll let the jury
21 watch that answer and we will just move on.

22 THE WITNESS: Great.

23 BY MR. WEINSTEN:

24 Q. Prior to the tour had you ever suffered a panic
25 attack?

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1 A. Not in the way that I had panic attacks on the
2 tour and since.

3 Q. My question is: Prior to the tour had you ever
4 suffered a panic attack, yes or no?

5 MR. ZAMBRANO: We are getting a little
6 aggressive, Mike.

7 MR. WEINSTEN: It's not aggressive. She's
8 incredibly evasive, which is good, because not that this
9 case will ever get to a jury but if it ever did, I have
10 the video showing how evasive. I'm just trying to get
11 this done by lunch at this point. I have all the
12 testimony I need. I have to close this out. I don't
13 have that much more. I want to just get it done.

14 MR. ZAMBRANO: Okay.

15 MR. WEINSTEN: Okay.

16 Q. So they're simple questions. If you don't
17 understand the question, tell me you don't understand
18 it. I will try to rephrase it. Okay.

19 A. It's not that I don't understand the question,
20 it's that you are compounding things that paint a
21 picture that's not true.

22 Q. It's irrelevant. You have to answer the
23 question --

24 MR. ZAMBRANO: Mike.

25 MR. WEINSTEN: -- that is asked.

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1 MR. WEINSTEN: Okay. Let's try --

2 MR. ZAMBRANO: Just can we move on without the
3 lecturing, please.

4 THE WITNESS: Please.

5 MR. WEINSTEN: Let's try it one more time.

6 Q. Prior to going on the tour had you ever had a
7 panic attack in your life, yes or no?

8 A. So the answer would be no.

9 Q. Okay. Had you ever had anxiety prior to going
10 on the tour, yes or no?

11 A. I have had anxious moments but not diagnosed
12 anxiety so no.

13 Q. Okay. Now, sitting here today are you
14 having --

15 Actually in the last year have you had any
16 panic attacks?

17 A. Absolutely.

18 Q. Okay. How often in the last year have you had
19 panic attacks?

20 A. I would say I'm having now a panic attack right
21 now. The first part of my deposition I pushed through a
22 panic attack as well. The energy for the deposition
23 really reflected the energy on tour.

24 Q. Okay. So how many panic attacks have you
25 had -- We are in June of 2025. In the last year how

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1 many panic attacks have you had?

2 A. I could not give you an exact number.

3 Q. I don't need an exact number. Give me an
4 estimate.

5 A. An estimate -- What was the first time that you
6 are asking about, like what's the timeline?

7 Q. I'm asking in the last year.

8 A. In the last year, okay.

9 Q. How many panic attacks would you say you've had
10 in the last year?

11 A. So they ebb and flow and I would say that I at
12 least have a panic attack every week, but since things
13 with the trial have picked back up and I have had to
14 relive some of these terrible memories and of course it
15 has become much more often.

16 Q. So in the last --

17 You have had at least 52 panic attacks in the
18 last year, approximate; is that right?

19 A. Probably more.

20 Q. Okay. And in the year prior -- Well, let's
21 say, between the time --

22 You were terminated March 5th, 2023. Let's say
23 in the year after, from March 5th, 2023, let's say to
24 2024, let's say March of 2024, would you say that you
25 had about the same amount of panic attacks you were

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1 having in the last year or more or less?

2 A. Coming off the tour I had much more panic
3 attacks right away, and then they subsided to, like, the
4 once a week, and like I said, now they've picked back
5 up.

6 Q. Okay. So following the tour about how many
7 panic attacks were you having in a week prior to it
8 starting to subside?

9 A. Can you say the question again. I'm sorry.

10 Q. After the tour, after you were terminated from
11 the tour about how often -- how many times a week were
12 you having panic attacks before they started to subside?

13 A. Probably once a day and sometimes several a
14 day.

15 Q. Okay. So one to several panic attacks per day.
16 And how long did that go on before it started to
17 subside?

18 A. Once again, I can't be exact but probably a few
19 months.

20 Q. Okay. And when it started to subside, is that
21 when it just became, like, once a week or did it ever go
22 less than that?

23 A. It's like once, give or take. There are
24 certain things that trigger panic attacks, so it would
25 depend, but I'm just trying to give you a ballpark since

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1 you're asking. But there is no perfect way to put a
2 number on it.

3 Q. Okay. Are you taking medication for your panic
4 attacks?

5 A. No.

6 Q. Why not?

7 A. Because like I said earlier, I don't like
8 taking medications. I don't like anything that could
9 alter my health or have side effects.

10 Q. Okay. Well, you testified a minute ago that
11 you took a strange pill from a guy about a condition you
12 didn't even know what it was. That didn't scare you in
13 any way whatsoever?

14 MR. ZAMBRANO: Hold on. Argumentative.

15 Please answer.

16 THE WITNESS: During my answer I told you that
17 that is not something that I like to do and it shows you
18 the desperation of why I did that.

19 BY MR. WEINSTEN:

20 Q. Okay. So you're not on any medications at all
21 and haven't been in the last three years of any kind?

22 A. Of course I'm on medication, yeah.

23 Q. Okay. So -- I'm sorry. Now I am confused.

24 You said you don't like to take medication; is
25 that right?

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1 A. That is correct.

2 Q. What medications are you on?

3 A. Is that something that I have to disclose?

4 Q. Yeah.

5 A. Okay. So I take birth control pills but
6 they're for my fibroids.

7 Q. Okay.

8 A. I take vitamin C, which I know is not like a
9 doctor given medication, but a doctor told me to take
10 it.

11 Q. Let's just talk about prescription medications.

12 A. Okay.

13 Q. Other than the birth control for the
14 fibroids --

15 A. I have an inhaler for my asthma, and then I was
16 prescribed sleep medication because I have a lot of
17 trouble sleeping because of this.

18 Q. Okay. I just asked you a minute ago do you
19 take anything for the panic attacks. You just -- Is the
20 sleep medication not for the panic attacks?

21 A. No.

22 Q. What sleep medication are you on?

23 A. I would have to look at my, like, file online
24 to tell you, but it's something that I can provide
25 later. I don't know the name of it.

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1 Q. How long have you been taking the sleep
2 medication?

3 A. For -- I think I was prescribed in February. I
4 tried one, it didn't work. I switched to another one.
5 So, yeah, like since February.

6 Q. Just to be clear, you've taken the sleep
7 medication starting in February of this year?

8 A. Yes.

9 Q. Did you just start not being able to sleep in
10 February or what was going on in the last two years
11 since the tour?

12 A. No. I've definitely had trouble sleeping.

13 Q. Okay. But you waited two years before you
14 decided to take the sleep medication?

15 MR. ZAMBRANO: Argumentative.

16 Please answer.

17 THE WITNESS: No. I took things that I could
18 get myself like melatonin, another natural medication
19 that I can't remember the name of, but it wasn't until
20 I'm like, okay, I'm really struggling with sleep that I
21 finally decided to do it, but like I said, I didn't want
22 to do it because of the side effects that might be
23 caused.

24 BY MR. WEINSTEN:

25 Q. Okay. How often are you taking the sleep

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1 medication?

2 A. So I try not to take it unless, you know, it's
3 really bad, which -- yeah, I try not to take it unless
4 it's really bad, and so when I first was prescribed it,
5 I took it every night; and then, I don't know, I'd say I
6 took it for like a month and then I tried to see if I
7 could do without it, and then I picked it back up. And
8 right now I have an appointment with that doctor to try
9 a different medication because it kind of stopped
10 working.

11 Q. Okay. Other than the sleep medication, the
12 inhaler for the asthma and the birth control for the
13 fibroids, are you on any other medications?

14 A. No, I don't believe so.

15 Q. Are you seeing a psychiatrist?

16 A. No. I am seeing a therapist. I'm not exactly
17 sure what her title is.

18 Q. You are not seeing a medical doctor? Let me --

19 Let's just start with the psychiatrist. You
20 are seeing a psychiatrist or you aren't or you just
21 don't know?

22 A. I'm sorry. I am seeing a psychiatrist.

23 Q. Okay. Who is the psychiatrist?

24 A. I don't know her name offhand. I would have to
25 look.

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1 Q. When did you start seeing the psychiatrist?

2 A. I believe in February, but I could give you
3 exact dates, I just don't know it offhand.

4 Q. Okay. So after you --

5 So between the time you were fired on March 5th
6 and February of this year you didn't see a psychiatrist?

7 A. No, I don't believe so.

8 Q. Is there a reason?

9 A. Yeah. Like I -- I would say this is something
10 that my culture needs to work on, but we don't really
11 like to talk to psychologists and psychiatrists, you
12 know, and be on medications for things so it is probably
13 a cultural thing.

14 Q. Other than the psychiatrist have you seen a
15 psychologist or any other type of therapist from the
16 time that you were terminated until today?

17 A. Yes. So I see a therapist but I'm not sure
18 what her title is. I don't know if she is a
19 psychologist or what but I know that she's a therapist.

20 Q. Okay. And how long --

21 What is the therapist's name?

22 A. I believe it is Mary Marks but I'm not exactly
23 sure. I could...

24 Q. How long have you been seeing the therapist?

25 A. Since February.

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1 Q. Okay.

2 A. Ish.

3 Q. So you have not --

4 So since February of this year you started
5 seeing a therapist, a psychiatrist and taking sleep
6 medication; is that correct?

7 A. Yes.

8 Q. And you weren't seeing any of these people or
9 taking these drugs between the time you were terminated
10 on March 5th and February of 2025; is that correct?

11 A. Not those exact people, but I did reach out to
12 a therapist prior to Mary and in our, like, intake
13 session one of the things that I came up was this and
14 she was like, oh, I don't want to get involved with a
15 legal case because in the past I have and lawyers can be
16 really rude and ruthless and she was, like, I don't want
17 to, you know, have to be deposed and go through that, so
18 she was like, "I'm sorry, I can't take you on as a
19 client."

20 Q. Okay. I gotcha. So these people that you
21 hired and the medications you took, they were for
22 purposes of the lawsuit not because you got fired and
23 you needed to see somebody to help you get through it;
24 is that a fair statement?

25 MR. ZAMBRANO: Argumentative, vague and

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1 ambiguous, misstates testimony.

2 Please answer.

3 THE WITNESS: No.

4 BY MR. WEINSTEN:

5 Q. Okay. So just to be clear --

6 By the way, so you didn't actually --

7 You went to see a therapist prior to Mary but
8 you didn't -- you didn't have more than one meeting with
9 that person, correct?

10 A. Correct.

11 Q. Okay. Other than Mary and the psychiatrist
12 whose name I am going to get in a minute, have you seen
13 any other medical doctor or therapist between the time
14 you were fired and February of 2025?

15 A. Yes, I've definitely seen medical doctors.

16 Q. Okay. For your anxiety or for just regular
17 checkups?

18 A. Just regular and stuff with my fibroids.

19 Q. Okay. So to be clear, with respect to the
20 anxiety that you are feeling as a result of this case
21 you did not seek any psychiatric or therapeutic
22 treatment until 2025; is that correct?

23 MR. ZAMBRANO: Misstates testimony.

24 Please answer.

25 THE WITNESS: Can you say the question again.

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1 BY MR. WEINSTEN:

2 Q. Am I correct that from the time you were fired
3 on March 5th, 2023 and February of 2025 you didn't see a
4 psychiatrist, correct?

5 MR. ZAMBRANO: Misstates testimony.

6 Please answer.

7 THE WITNESS: I believe that is correct.

8 BY MR. WEINSTEN:

9 Q. Okay. And you didn't see a therapist in that
10 period of time either, correct?

11 A. I believe that is correct.

12 Q. Okay. And you didn't see any other kind of a
13 doctor with respect to any anxiety that you were feeling
14 as a result of your treatment -- alleged treatment on
15 the tour, correct?

16 A. Correct. Not directly but it's something that
17 I've mentioned to my other doctors.

18 Q. Okay. You don't know Mary's last name?

19 A. I believe it's Marks.

20 Q. I'm sorry. Spell that. M-a-r-k?

21 A. M-a-r-k-s.

22 Q. Marks. Okay. And where is she located?

23 A. She practices in New York but she lives in
24 Florida, I believe.

25 Q. How often did you see Mary? How many times

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1 have you seen her?

2 A. It depends. Sometimes it is once every week.

3 When I get like busy with work or things like that, I

4 will kind of take some time off from seeing her and then

5 pick back up.

6 Q. And you see her in New York, I assume?

7 A. I see her virtually.

8 Q. Okay. Virtually. And does she have medical

9 records regarding your condition?

10 A. I believe she has what the psychiatrist has

11 because it's done through the same group.

12 Q. Okay. Who is the psychiatrist?

13 A. I don't know her name. I see her much less

14 regularly but I could find it.

15 Q. Okay. Did you have any panic attacks while you

16 were actually on the tour?

17 A. Yes.

18 Q. Okay. Did you tell anybody about the panic

19 attacks on the tour?

20 A. I probably told my friend in catering, but I

21 don't know if it was necessarily like I'm having a panic

22 attack. It would be like me crying and telling her

23 about my day.

24 Q. Okay. I'm just talking about panic attacks.

25 Crying is something different.

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1 MR. ZAMBRANO: Well --

2 BY MR. WEINSTEN:

3 Q. Do you know what a panic attack is?

4 A. Yes.

5 Q. Okay. What are the symptoms you have when you
6 have a panic attack?

7 A. So panic attacks are different depending on
8 who's having them and crying is absolutely a symptom of
9 it.

10 Q. I'm asking you. When you have a panic attack,
11 tell me all the symptoms you have.

12 A. Okay. And I'll trying to finish the answer.
13 So crying would be one, sometimes crying, it would be
14 heavy breathing, feeling like your chest is closing in
15 on you, sweaty palms, feeling out of body, racing
16 thoughts, racing mind, heart race increase.

17 Q. Okay. And when you have these panic attacks,
18 how long do they last?

19 A. It depends.

20 Q. What is the longest any one has lasted?

21 A. Probably in my deposition with you, the first
22 part of it. So three hours and however many minutes.

23 Q. Okay. Let's talk about on the tour.

24 How often were you having panic attacks in the
25 three weeks you were on the tour?

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1 A. Every day.

2 Q. More than once a day?

3 A. Sometimes multiple times a day.

4 Q. Okay. And your testimony is despite having --

5 By the way, how long did those panic attacks
6 typically last?

7 A. So it depends. Like, sometimes when you are
8 having a panic attack, you can just kind of push through
9 it and act like you're okay. Sometimes when you have a
10 panic attack it is me going in the bathroom and crying
11 and taking a second and then getting my face together
12 and going back out and getting my work done and acting
13 like I'm okay. So it depends. Like panic attacks can
14 last like five minutes, they can last hours.

15 Q. Okay. And your testimony is that the entire
16 time you were on tour you only told one person about
17 these panic attacks that you were having multiple times
18 a day for three weeks; is that your testimony?

19 A. I'm saying I don't think I used the word panic
20 attack. I think I told her that I was having a rough
21 day and that, you know, I went and cried in the bathroom
22 or people could tell and people would pull me aside and,
23 like, "Are you okay?" And I would be like, "Ahh, I'm
24 all right."

25 Q. Did you use the word "panic attack" with

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1 could look through my records and tell you, but I'm not
2 exactly sure.

3 Q. Okay. How much money have you spent to date on
4 seeing these psychiatrists and the therapist?

5 A. I'm not sure, but they are in my coverage and
6 it -- I think it's like a \$15 co-pay each time I see
7 each.

8 Q. Okay. Now, we were --

9 Before we went on break we were talking about
10 whether you discussed having panic attacks in those
11 specific words with anybody on the tour. So let me ask
12 you the question again.

13 Before I even get there. When did the panic
14 attacks start occurring?

15 MR. ZAMBRANO: While on tour?

16 BY MR. WEINSTEN:

17 Q. Yeah. Well, you testified you didn't ever have
18 a panic attack before the tour so you started the
19 tour -- you arrived on February 14th, the rehearsal in
20 Oslo was February 16th.

21 When did the panic attacks start kicking in?

22 A. I believe it would be that first day, like once
23 I realized that this is a much different situation than
24 what I was told and what I agreed to.

25 Q. Okay. So just to be clear --

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1 How old are you?

2 A. I'm 37.

3 Q. 37. Okay. So when you started the tour you
4 were, what, 34 or is that 35?

5 A. I'm not sure. I'd have to do the math on it.

6 Q. Okay. So, let's say, 34. So just to be clear,
7 for 34 years of your life you never had a panic attack
8 and the first time you ever had a panic attack was on
9 your first day of work on the tour with Lizzo; is that
10 correct?

11 MR. ZAMBRANO: Argumentative.

12 Please answer.

13 THE WITNESS: So to be clear, what I was trying
14 to say before but you wanted just a yes or no is that I
15 of course had stressful moments, but I had never had a
16 panic attack and definitely no experience of anything
17 like what I've been through. So that's why I'm like
18 it's not just a yes or no.

19 BY MR. WEINSTEN:

20 Q. Okay. Let's try this again. I am going to ask
21 you to listen to the question and answer the question
22 that is asked. Am I correct that in your 34 years of
23 life up until the first day of the tour with Lizzo you
24 had never had a panic attack and your very first actual
25 panic attack in those words was on the first day of the

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1 tour with Lizzo; is that correct?

2 A. It's -- Once again it's not a clean yes or no.
3 That's why I keep trying to tell you it's not just black
4 and white. I of course have had stressful situations
5 that have given me anxiety, but I have never had, like,
6 diagnosed panic attacks until this situation with the
7 tour.

8 Q. Okay. And that was on day one of the tour,
9 correct?

10 A. Correct.

11 Q. And you weren't diagnosed on day one, correct?

12 A. Of course not.

13 Q. Okay. So how did you know you were having a
14 panic attack on day one and it wasn't just some general
15 stress?

16 A. Because now that I have engaged with those
17 medical professionals or -- yeah, medical professionals,
18 I know what it looks like and I have a word to put to
19 it.

20 Q. Okay. So just to be clear, up until
21 February 2025 you were not referring to these as panic
22 attacks; is that right?

23 A. So to be clear, I cannot -- I don't have a
24 clear memory if I used those exact words, but I
25 absolutely told the symptoms that I was having to

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1 **Carlina.**

2 Q. Okay. I want to know if you used the words
3 "panic attack." When you were on the tour for those
4 three weeks, did you tell anybody you were having a
5 panic attack using the words "panic attack," yes or no?

6 A. It is possible. But I don't know for sure.

7 Q. You don't know. Okay. So am I correct that
8 the first time you ever actually started using the words
9 "panic attack" with respect to the way that you were
10 feeling as a result of the tour is when you met this
11 doctor in February of 2025; is that a fair statement?

12 A. No.

13 MR. ZAMBRANO: Argumentative.

14 MR. WEINSTEN: Okay.

15 Q. So you were paid through --

16 You were at least paid through to the end of
17 when you were terminated, correct?

18 A. I believe so.

19 Q. And did you get a job after you left the tour?

20 Let me back up a second.

21 Am I correct that you were only intended to
22 work on the European leg of the tour, that's what you
23 were hired for?

24 A. Yes, as far as this situation goes.

25 Q. Okay. So your expectation when you joined the

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1 tour was --

2 Do you know when the last day of the tour was
3 supposed to be?

4 A. I don't.

5 (Sotto voce discussion between
6 Mr. Weinstein and Ms. Mallonee.)

7 BY MR. WEINSTEN:

8 Q. Did you have an understanding that it was going
9 to be sometime in March of 2023?

10 A. I honestly don't have a great memory of it.

11 Q. Okay. And did you have work lined up for
12 afterwards, after the tour?

13 March 14th. Sorry. Am I correct that when you
14 signed up to do the Special Tour with Lizzo your
15 intention was to work from February 17th to March 14th;
16 is that right?

17 A. That might be correct. It sounds correct, but
18 I don't know for sure if those are the exact dates.

19 Q. Gotcha. So you were not expecting to work for
20 Lizzo beyond March 14th; is that correct?

21 A. Not on tour, but I knew there was a possibility
22 of designing for her again.

23 Q. Okay. And what did you do after you were
24 terminated, did you go back to work at your own company
25 or what was your next job?

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1 A. Well, like the conversations with Carlina show
2 I did some design work to submit to Lizzo for future
3 things. And then I would have to, like, jog my memory
4 as to what, like, my next big thing was that I did.

5 Q. Is it fair to say that you were fairly
6 regularly employed since after you left the tour?

7 A. No, because my work doesn't really look like
8 being employed in a traditional sense.

9 Q. Okay. Now, in your complaint --
10 I'm sorry. In your initial disclosures in this
11 case you provided a calculation of damages; is that
12 correct?

13 A. I don't have a memory of that.

14 Q. All right. Let's make it an exhibit.

15 Let's mark this as Exhibit?

16 THE COURT REPORTER: 32.

17 MR. WEINSTEN: 32. This is "Plaintiff Asha
18 Daniels' Initial Disclosures Pursuant to Federal Rule
19 Civil Procedure 26(a)."

20 MR. ZAMBRANO: Thank you.

21 (Deposition Exhibit 32 was marked.)

22 BY MR. WEINSTEN:

23 Q. Now, if you look at the third page Roman
24 numeral III it says "Calculations of Damages." It
25 states:

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1 "According to Plaintiff, Plaintiff has
2 suffered special and general damages
3 because of the harassment,
4 discrimination, and retaliation by
5 Defendants. Plaintiff has suffered
6 approximately \$164,250 in loss of
7 earnings, plus benefits, minus any
8 offset for subsequent employment, if
9 any."

10 What is the basis for that number?

11 MR. ZAMBRANO: Without violating -- not
12 violating. To the extent you can answer that without
13 revealing attorney-client communications, please answer
14 if you can.

15 MR. WEINSTEN: Let me ask it a different way.

16 Q. You testified that you were only supposed to
17 work through March 14th, you got paid for working
18 through March 14th or at least you can't deny it because
19 you don't know one way or the other, what are the lost
20 earnings of 164,250, what is that comprised of?

21 MR. ZAMBRANO: To the extent that you can
22 answer that without revealing attorney-client
23 communications, please answer if you can.

24 THE WITNESS: That would be something that I
25 defer to my lawyer on.

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·1 BY MR. WEINSTEN:

·2 Q. Okay. Let me ask you a different way.

·3 Did you lose any earnings as a result of the
·4 tour? Forget what is said here. Did you lose any
·5 earnings as a result of anything that happened on the
·6 tour, yes or no?

·7 MR. ZAMBRANO: Just to the extent that it
·8 requires a legal or expert opinion, please answer.

·9 THE WITNESS: Yes. And it is something that I
10 defer to my lawyer about.

11 BY MR. WEINSTEN:

12 Q. I'm asking you. I'm not asking you about
13 attorney-client communications. I'm asking you -- I am
14 entitled to establish the facts, if you have lost money,
15 earnings, jobs, whatever it is, because of what happened
16 on the tour, I'm entitled to know what it is.

17 Forget the dollar amount. Have you lost any
18 jobs, benefits, earnings, or subsequent employment as a
19 result of anything that happened on the tour?

20 MR. ZAMBRANO: So subject to my prior
21 objections answer however way you can.

22 THE WITNESS: Okay.

23 MR. ZAMBRANO: Go ahead.

24 THE WITNESS: So I don't know -- am I allowed
25 to ask you to say back what he said, the Last question.

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1 MR. WEINSTEN: Yes, you can ask.

2 (Record read as follows:

3 "Question: I'm asking you. I'm not

4 asking you about attorney-client

5 communications. I'm asking you -- I am

6 entitled to establish the facts, if you

7 have lost money, earnings, jobs,

8 whatever it is, because of what

9 happened on the tour, I'm entitled to

10 know what it is.

11 "Forget the dollar amount. Have you

12 lost any jobs, benefits, earnings, or

13 subsequent employment as a result of

14 anything that happened on the tour?")

15 THE WITNESS: Okay. Thank you.

16 Once again, I would say it's not as clean cut

17 as how you pose the question, but you know, like I

18 wasn't at a job that I got fired from outside of this,

19 but I definitely dealing with the anxiety, the

20 depression, the loss of sleep, all of that after the

21 tour, it heavily affected my ability to work and

22 that's -- you know, that's how I make my money. Should

23 I be more specific than that?

24 BY MR. WEINSTEN:

25 Q. What jobs did you not take because of your

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1 anxiety, depression or anything else that affected you
2 as a result of the tour? What jobs did you turn down,
3 let's start with that?

4 A. It wouldn't be jobs that I turned down. But I
5 had plans to do a fashion show and exhibit, and I pushed
6 that back to do the tour and, of course, I was supposed
7 to pick that back up, but coming back from the tour I
8 wasn't really able to work or be in a mental space to
9 get back to work.

10 Q. What job was that? What fashion tour are you
11 referring to?

12 A. It's not a job. It's fashion shows that I
13 create, collections that I create, community engagements
14 that I create.

15 Q. What is the fashion show that you didn't return
16 to because of what happened to you on tour?

17 A. I think you're, like, asking for -- It's kind
18 of hard to say.

19 MR. ZAMBRANO: Just explain it the best way you
20 can.

21 THE WITNESS: Okay.

22 BY MR. WEINSTEN:

23 Q. You just testified that you planned to do a
24 fashion show prior to the tour, you pushed it back
25 because of what happened -- because of your going on

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1 A. Is that something that I can do?

2 MR. ZAMBRANO: I would rather take a break and
3 have her do that.

4 THE WITNESS: Okay.

5 MR. ZAMBRANO: You can't give an estimate off
6 the top of your head?

7 THE WITNESS: I wouldn't feel comfortable
8 because -- I wouldn't feel comfortable giving an exact
9 timeline of it.

10 BY MR. WEINSTEN:

11 Q. What do you do --

12 You said you had a company, correct? You have
13 of a fashion company?

14 THE WITNESS: Am I taking a break to answer the
15 question?

16 MR. WEINSTEN: We will come back to it.

17 MR. ZAMBRANO: He might come back to it. Just
18 let him -- go ahead --

19 MR. WEINSTEN: I want to understand what
20 exactly it is that you do.

21 Q. Prior to going on tour with Lizzo what was your
22 job?

23 A. Maybe I can explain a couple of things that I
24 have done.

25 MR. ZAMBRANO: Just --

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1 BY MR. WEINSTEN:

2 Q. Tell me what your job was. Did you work for a
3 company? Did you work on your own?

4 A. I work for myself.

5 Q. Okay. So prior to coming on tour you worked
6 for yourself. Do you have a company?

7 A. Yes.

8 Q. What's the name of the company?

9 A. It's Asha Ama, LLC.

10 Q. Asha. I'm sorry. What's the --

11 A. Ama, A-m-a.

12 Q. LLC? Okay.

13 A. Yes.

14 Q. And what does Asha Ama, LLC do?

15 A. Okay. So it looks different all the time. So
16 sometimes I'll take on projects for a celebrity or for a
17 one-off where someone is getting married and they need
18 an outfit for something in their wedding, they need a
19 birthday outfit, a special occasion outfit, and I will
20 design for them. But then I also do collections where I
21 will do like an in-person collection, a virtual fashion
22 show, my pieces will go into a museum exhibit, and then
23 I will have like a week or two of community engagements,
24 artists talks, the releasing of the virtual fashion
25 show, and community programming that is around that

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1 collection and kind of like builds on the themes of it.
2 I will also collaborate with dance companies. Like I've
3 done a piece -- an original piece for the Cincinnati
4 Ballet and for Parsons Dance that just premiered in New
5 York. It just looks different. It's always fashion
6 design on some level, but sometimes it's a collection in
7 a museum exhibit and community engagements, sometimes it
8 is a direct piece for a dance company or a person.

9 Q. So am I correct that the purpose of the company
10 is you design fashions; is that right?

11 A. That is correct --

12 Q. And do you manu- --

13 A. -- but it's more than just design fashions.

14 Q. Do you manufacture them as well or you just
15 design them?

16 A. They are all handmade but sometimes I will have
17 a team that makes it, sometimes I won't, sometimes it's
18 just me. It just depends on the project.

19 Q. Okay. So, for example, this week are you
20 working this week?

21 A. Yes.

22 Q. Okay. What are you doing this week?

23 A. So I just did a fashion show last week for the
24 Americans for the Arts Foundation, Americans for the
25 Arts Foundation and ArtsWave P&G and the Cincinnati

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1 Chamber of Commerce.

2 Q. Okay. But I'm asking this week. So you are
3 going to leave here tomorrow and/or today, whenever --

4 A. Yes.

5 Q. -- and you're going to work somewhere?

6 A. Yes.

7 Q. Okay. Where are you going to go to work?

8 A. So I work from home and my next piece is to
9 edit the videos and the photos and release them and
10 update social media, hand them over to those entities
11 that I just listed.

12 Q. Okay. So you don't have a show or anything
13 coming up this week, you're just going --

14 A. Not a show.

15 Q. -- to be working at home editing and doing
16 stuff like that.

17 MR. ZAMBRANO: Wait for him to finish.

18 BY MR. WEINSTEN:

19 Q. -- is that correct?

20 A. Not a show this week that is correct.

21 Q. Now, when was -- when was the next time after
22 you were let go from Lizzo's tour that you actually
23 started to design clothing again?

24 A. So that is what I would need to look through my
25 phone and kind of get a correct answer.

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1 Q. Okay. So on page --

2 On this Exhibit 26 on the first page these are
3 the Big Grrrls?

4 A. Yes.

5 Q. Is this pink outfit here, is that one of the
6 ones that you designed?

7 A. No. This is one of the ones that I helped with
8 and that I produced.

9 Q. Okay. And what about this silver one here to
10 the left, is that one of yours?

11 A. No. This was random. This was, like, a guest
12 dancer, I believe, and she had maybe her own outfit. I
13 don't really know.

14 Q. Okay. So to be clear, then, the picture that
15 is on your web page here --

16 This is on your website?

17 A. This was on my website.

18 Q. Okay. This is not your design, this is Mondo's
19 design?

20 A. So it's mainly Mondo's design but when you work
21 with a team there is, like, elements that helped design
22 so I helped him but it is his design and it's something
23 that I produced.

24 Q. Did you credit Mondo for the design on your web
25 page? I don't see his name here.

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1 A. It's not something that you always credit
2 everyone. It would be impossible to credit everybody
3 that helped make this.

4 Q. But he's the designer. Don't you think it
5 would be appropriate to give the designer credit when
6 you are putting something on your website, an image of
7 women wearing something that seems to say -- where you
8 say "Custom Asha Ama for Lizzo Special Tour" and not
9 mention Mondo, do you think that is appropriate?

10 A. So --

11 MR. ZAMBRANO: Hold on. Hold on.
12 Argumentative.

13 Please answer.

14 THE WITNESS: Okay. So it was, like,
15 well-known that I did these pieces with Mondo and he was
16 credited everywhere. This is just the landing page of
17 my -- it was the landing, it isn't any longer but it was
18 the landing page of my website and it wasn't this piece
19 really to show off that this was something that I made,
20 but it was something that I made, it was more so about
21 the protect black women.

22 BY MR. WEINSTEN:

23 Q. Okay. When you produced this --

24 Well, this says "custom" but okay.

25 A. It is custom.

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1 process and it turned into the lilac pieces but it was
2 an initial design but it didn't obviously like -- It
3 changed.

4 Q. Were you paid for your designs for the -- paid
5 by Lizzo's tour company for the designs used on the
6 European tour?

7 A. Yes. But technically like it went -- I believe
8 it went through Mondo and then we got paid from that but
9 don't quote me on it but yes.

10 Q. Okay. You didn't personally contract with
11 Lizzo's tour company to sell your designs; is that
12 right?

13 A. No.

14 Q. It was all done through Mondo?

15 A. This part was done through Mondo.

16 Q. We had one question that we were going to --
17 MR. ZAMBRANO: She was going to look through
18 her phone.

19 MR. WEINSTEN: Why don't we take a short break
20 and you look through your phone and while you're doing
21 that --

22 By the way, as long as you are looking through
23 your phone, last time we were here you were going to
24 show --

25 THE VIDEOGRAPHER: Off the record?

Asha Daniels

June 17, 2025

1 MR. WEINSTEN: Are we off?

2 THE VIDEOGRAPHER: No. You didn't say.

3 MR. WEINSTEN: No. I want to finish here.

4 While we were off the record I would like you
5 to find me the -- that WhatsApp that has the dick pics
6 in it.

7 MR. ZAMBRANO: Okay. Are we off the record?

8 THE VIDEOGRAPHER: We are off the record at
9 12:46 p.m.

10 (Recess taken from 12:46 p.m.

11 to 1:02 p.m.)

12 THE VIDEOGRAPHER: We are back on the record at
13 1:02 p.m.

14 BY MR. WEINSTEN:

15 Q. Okay. Ms. Daniels, during the break I
16 understand you took a look at your phone to look at the
17 WhatsApp message that has the picture of Kenny (sic)
18 with the case decorated, which has been marked as
19 Exhibit 2 and also Exhibit 3 from your last day of
20 deposition.

21 My question: Can you now confirm for me that
22 you did not receive this -- this WhatsApp message until
23 March 11 of 2023; is that correct?

24 A. So his name is Kyle.

25 Q. Kyle. I'm sorry.

Asha Daniels

June 17, 2025

1 A. That's okay. And, yes, I believe that is when
2 it came to that group chat.

3 Q. Okay. So now you also went and refreshed your
4 recollection as to when the next time you were designing
5 clothes was with respect to after you left the tour with
6 Lizzo.

7 Could you tell me when that was?

8 A. Yes. And this is me trying to just recall what
9 I just looked at. I believe in April I did a one-off
10 design for a private customer. In May I believe that's
11 when I sent designs for Lizzo to her team.

12 And then in June I did a one-off engagement
13 dress -- engagement shoot dress and a piece for a drag
14 queen, a like one-off design for a drag queen.

15 Q. Okay. And at some point you went down to Tulum
16 in May; is that correct?

17 A. Yes.

18 Q. What were doing in --

19 A. That was for my sister's wedding.

20 Q. I'm sorry?

21 A. That was for my sister's wedding.

22 Q. Okay. How long were you in Tulum?

23 (Sotto voce discussion between

24 Mr. Weinstein and Ms. Mallonee.)

25 BY MR. WEINSTEN:

Asha Daniels

June 17, 2025

DECLARATION UNDER PENALTY OF PERJURY

I, ASHA DANIELS, do hereby certify
under penalty of perjury that I have read the foregoing
transcript of my deposition taken on JUNE 17, 2025;
that I have made such corrections as appear noted on the
deposition errata page, attached hereto, signed by me;
that my testimony as contained herein, as corrected, is
true and correct.

Dated this _____ day of _____,
20____, at _____, _____.
(City) (state)

ASHA DANIELS

Asha Daniels

June 17, 2025

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Asha Daniels	Dated				

Asha Daniels

June 17, 2025

REPORTER'S CERTIFICATE

I, PAMELA A. STITT, a Certified Shorthand Reporter, do hereby certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That a review of the transcript by the deponent was requested;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

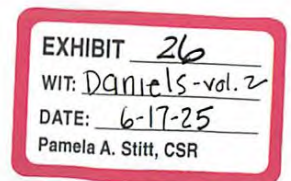
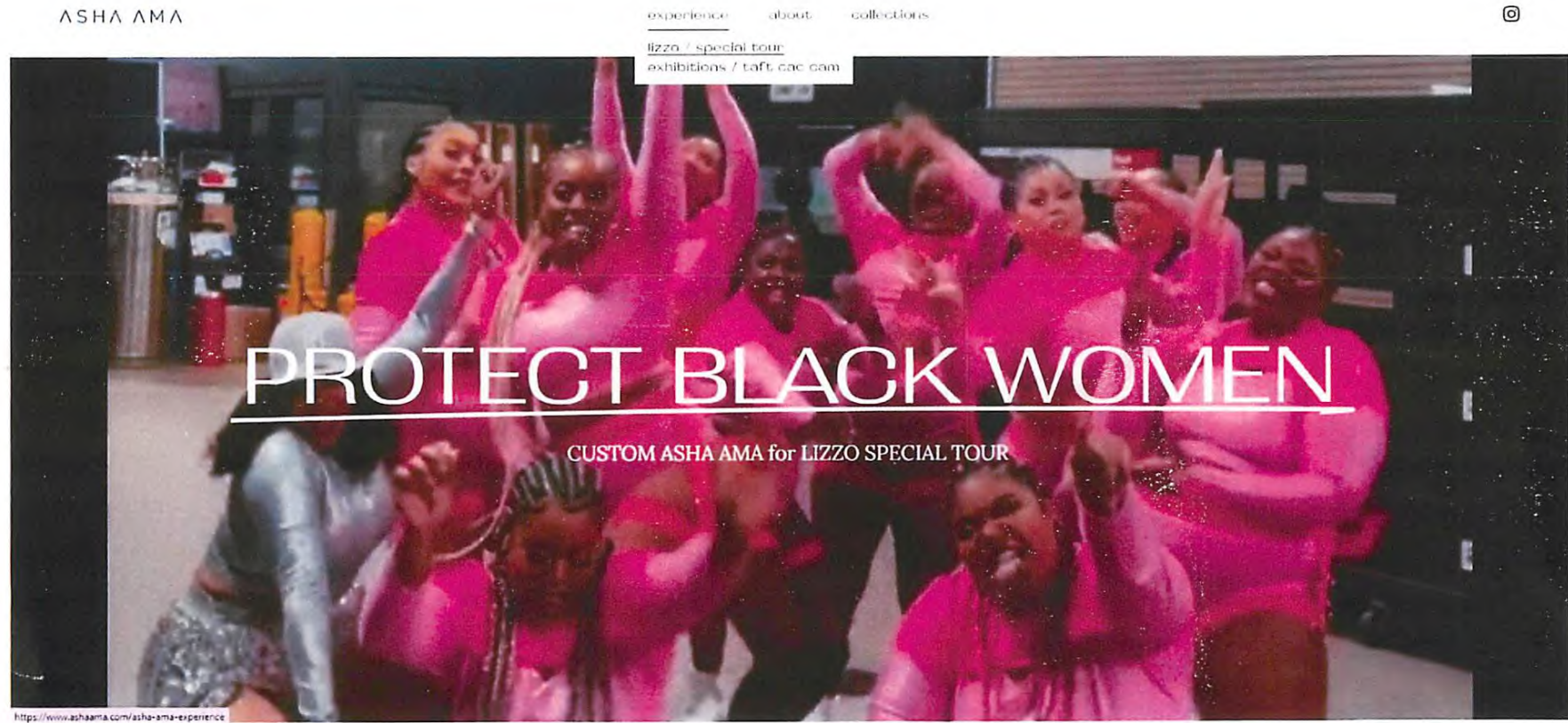
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 20th day of JUNE, 2025.



PAMELA A. STITT
CSR No. 6027

EXHIBIT 9



https://www.instagram.com/asha_ama/p/CvsmTStOyEz?hl=en&img_index=1

January 24, 2024

Instagram

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Paris, France

[asha_ama](#) Skin dark like the window tintedddd
I'm already better than his next b*tchhhh 🤔

[@greenunway](#)
[@shotbyphox](#)
24w

[mcjamaal](#) Waaaaaaaat go head 🤔
[@asha_ama](#)
24w 1 like Reply

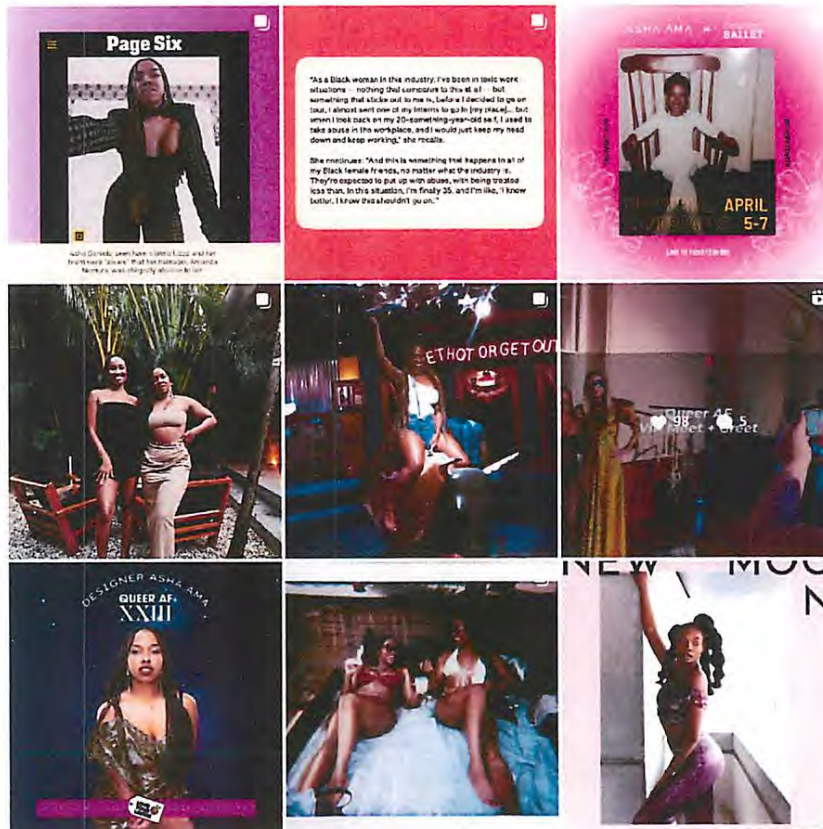
[ashhh.doll](#) yesssssss 🤔🤔🤔🤔
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368 likes
August 8, 2023

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breerunway • Follow

Paris, France

...



breerunway wow wow wow.... Paris was our last night on the special tour and I've just had to take a second to process how UNFORGETTABLE that night and this whole tour has been! - @lizzobeeating you are a LIGHT and I've always loved you but now it's like x 1000000000292929 you've inspired me to dream bigger, you've fired me up to want more and to do whatever I can to elevate all things bree runway and to your fans thank you for the warm embrace, I can still hear the loud cheers in my head I've never played arena stages before but every night I felt like I was at HOME! cheers to MORE ARENAS!!! thank you to my whole entire team, your support and energy across this tour has been everything and more! I'm leaving the special tour feeling reborn, I have a new sense of self! sooo pumped up, watch out for missssss runwayyyyyyyyyy!!!

116w



ceeblanco

116w



Liked by lizzobeeating and others

March 7, 2023



Add a comment...

EXHIBIT 10

9:17

97%

**Damion**

bigboydamion



I'm fine babe. Here at work

How are you?



Got some sleep?

Ugh im feeling sleep deprived and frustrated

Babe 😞



We have to do something about that

I know. I'm actually trying not to cry bc I'm that frustrated. If I wasn't here on a mission I'd be out this bitch so quick



It's all a new experience for you. It's going get some being use to.

I know babe, its not that - I dont like the way these white people on production operate

Like on a moral level



Ok. I see

Feb 18, 8:37 AM

I'm still puzzled at the number of white people on production/ in charge of what happens behind the scenes while all the black up front. Just focus on your mission and get it over with. It will be over in no time.



Message...



EXHIBIT 31
WIT: Daniels - vol. 2
DATE: 6-17-25
Pamela A. Stitt, CSR

DAN 000035

31

EXHIBIT 11

Deposition Transcript

Case Number: 2:24-cv-03571-FLA-PVC

Date: December 9, 2024

In the matter of:

ASHA DANIELS v BIG GRRRL BIG TOURING, INC, et al.

AMANDA NOMURA

CONFIDENTIAL

**CERTIFIED
COPY**

Reported by:
Ellen Leifer

Steno
Official Reporters

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Los Angeles, CA 90015
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(310) 573-8380
NV: Firm #108F



AMANDA NOMURA
DECEMBER 09, 2024

CONFIDENTIAL

JOB NO. 1335894

CONFIDENTIAL TRANSCRIPT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case No. 2:24-cv-03571-FLA-PVC

VIDEO DEPOSITION OF AMANDA NOMURA
December 9, 2024

ASHA DANIELS, as an individual,

Plaintiff,

vs.

BIG GRRRL BIG TOURING, INC., A Delaware corporation;
MELISSA JEFFERSON (aka "LIZZO"), as an individual;
CARLINA GUGLIOTTA, as an individual; and DOES 1
through 10, inclusive,

Defendants.

APPEARANCES:

WEST COAST EMPLOYMENT LAWYERS, APLC

By Ronald L. Zambrano, Esq.

Crystal F. Mohsin, Esq.

Lilit Kyababchian, Esq.

1147 South Hope Street

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crystal@westcoasttriallawyers.com

lilit@westcoasttriallawyers.com

Appearing on behalf of Plaintiff.

(By videoconference)

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APPEARANCES (Cont.):

LAVELY & SINGER, P.C.
By Michael E. Weinsten, Esq.
2049 Century Park East
Suite 2400
Los Angeles, California 90067-2906
310-556-3501
mweinsten@lavelysinger.com
Appearing on behalf of Defendants.

Also Present: Asha Daniels (By videoconference)
Julie Butcher, Videographer

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1 you refer to it, in this interview?

2 A Alana.

3 Q Do you remember Alana's last name?

4 A I don't recall at the moment.

5 Q Anyone else other than Alana that you
6 interviewed with around this time?

7 A No.

8 Q And how did the interview take place, in
9 the sense was it over a phone call? Was it over
10 videoconference?

11 A It was a phone call.

12 Q And after the phone call, were you
13 offered employment, or did you talk to someone else
14 before you were offered employment with Big Grrrl
15 Touring?

16 A After I spoke with Alana, then I was --
17 actually, I don't recall the exact steps. I know I
18 just -- I received an offer that I accepted.

19 Q Was the offer delivered to you orally or
20 in writing?

21 A In writing.

22 Q And did you sign a contract, or was it
23 just, Hey, here's your offer. Accepted?

24 A I signed a contract.

25 Q Do you have a memory of approximately

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1 month and year that you signed this contract?

2 A Approximate August 2022.

3 Q And at the time that you signed this
4 contract around August 2022, did you already have an
5 understanding when the end date would be with this
6 particular employment with Big Grrrl Touring?

7 A There was no -- there was no end date
8 specifically, no end date.

9 Q Okay. When did you stop working for Big
10 Grrrl Touring after you signed this contract in
11 August 2022?

12 A March 2023.

13 Q When you signed the contract in
14 August 2022, what was -- from your perspective, what
15 did you understand you were going to be doing for
16 Big Grrrl Touring?

17 A Lizzo's wardrobe.

18 Q And I don't work in your industry. I
19 don't understand it.

20 So what does that specifically mean?
21 Like what would you do on a day-to-day basis or on a
22 weekly basis? What were your responsibilities?

23 A Maintaining the artist's wardrobe or
24 costumes for the show.

25 Q What does "maintain" mean? Like make

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1 proper answer.

2 Q (BY MR. ZAMBRANO) Okay. So we are now
3 going in circles. I will try to maybe go off in
4 other things.

5 So I believe you were -- you had
6 previously testified that you were expected to load
7 and unload certain things as part of your duties.
8 Do you remember saying that earlier?

9 A I said yes to -- that's what you said, so
10 I said yes.

11 Q I did say that, and you did say yes.

12 What were the things that you were
13 loading or not loading -- excuse me. That's a dumb
14 question.

15 What were the items that you were loading
16 during the tour?

17 A Loading? Costumes.

18 Q And where would the -- I'm sorry, you
19 weren't done with your answer.

20 What was the rest of your answer?

21 A Costumes.

22 Q And would the costumes be in bags or in
23 boxes or crates? Where would they be for you to
24 move them, or were they loose?

25 A In garment bags, inside wardrobe cases.

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1 Q Approximately how many wardrobe cases do
2 you have a memory of having to load and move as part
3 of your business as being in charge of
4 Ms. Jefferson's wardrobe?

5 A I don't recall the exact number.

6 Q Which is fair, and I did say in the
7 beginning I didn't expect you to have an exact
8 memory.

9 Can you give me a range? Was it like one
10 to five or more than ten, something like that?

11 A Less than ten.

12 Q And did you -- how would you -- how big
13 were these wardrobe cases?

14 Let me ask it another way. Did you need
15 a dolly to move these wardrobe cases, or were these
16 wardrobe cases with handles that you could pick up
17 and walk with? How would you move them?

18 A They were on wheels, so they rolled.

19 Q And at one point you reached out to
20 Ms. Daniels to join the tour. Do you have a memory
21 of that?

22 MR. WEINSTEN: Objection. Assumes facts
23 not in evidence.

24 Q (BY MR. ZAMBRANO) You can still answer.

25 Do you have a memory of that?

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1 A I reached out to her for a
2 recommendation.

3 Q Recommendation for what?

4 A For an assistant.

5 Q An assistant to you; correct?

6 A For the tour, yes.

7 Q Okay. How is it that you knew of
8 Ms. Daniels at the time that you asked Ms. Daniels
9 for a recommendation?

10 A She was an assistant to the costume
11 designer.

12 Q Who was the costume designer? What is
13 that person's name?

14 A Mondo Guerra.

15 Q Can you spell the last name?

16 A I don't know specifically the spelling.

17 Q Was it Mondo Guerra that had told you
18 about Ms. Daniels' existence or --

19 A Yes.

20 Q Yeah? All right.

21 And when you reached out to her, had you
22 worked with her before or not?

23 A I had met her through Mondo previously.

24 Q Had Ms. Daniels done any work for any of
25 the artists associated with Ms. Jefferson prior to

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1 you reaching out to Ms. Daniels to join the tour?

2 MR. WEINSTEN: Lacks foundation, calls
3 for speculation.

4 Q (BY MR. ZAMBRANO) You can still answer,
5 to the extent that you know. If you don't know,
6 just say "I don't know."

7 A Can you repeat the question?

8 Q Did you have an understanding, at the
9 time that you reached out to Ms. Daniels for a
10 recommendation for a wardrobe assistant, that
11 Ms. Daniels had already done some work for Big Grrrl
12 Touring?

13 MR. WEINSTEN: Objection. Assumes facts
14 not in evidence, lacks foundation, calls for
15 speculation.

16 You can answer, if you know.

17 A She had not done previous work for Big
18 Grrrl Touring.

19 MR. ZAMBRANO: I am going to introduce
20 some documents. I would love to go through these
21 quickly, because this is typically where we get
22 bogged down. So this will be Exhibit 2.

23 Exhibit 1, for the record, is the
24 objection to the notice previously shown off the
25 record. I would like it to be part of this record.

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1 generally, do you have a memory of being involved in
2 this text message exchange with -- with a person
3 named Alana and Asha and the other two participants?

4 A Yes.

5 Q And my followup question is, was this
6 exchange with Ms. Daniels, was this connected to her
7 joining the tour, or was this something else that
8 was not tour related?

9 A Not tour related.

10 Q Do you have a memory of what it was
11 about, in the sense that, what was your
12 understanding of what Ms. Daniels was doing for
13 either yourself or Alana for Big Grrrl Touring?

14 What was your understanding of what
15 Ms. Daniels was doing in trying to communicate to
16 you guys, just generally?

17 A Well, it's -- it's kind of broken up,
18 because the beginning is related to Mondo's designs,
19 and then as you keep going, it changes into a
20 separate conversation that Alana had with Mondo to
21 create some different looks for the New York show.

22 So it's not the same from the first page
23 to page 43.

24 Q Can you tell me where the communication
25 was Mondo directed?

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1 A Well, Asha was the assistant. So Mondo,
2 that's -- as far as my understanding, when he
3 introduced Asha, he was working and she was his
4 assistant doing basically the communication, kind of
5 the middle person.

6 Q Okay. I thought -- this is what I
7 gleaned from what you just said, that Exhibit 3,
8 which is in your hand, includes communications that
9 you were a part of and that -- but there's also
10 separate communications that you were not a part of
11 that Mondo was a part of.

12 Do I have that correct?

13 MR. WEINSTEN: Objection. Vague and
14 ambiguous and misrepresents the testimony, and it's
15 also compound.

16 A No. My response was, the texts that you
17 are referring to, the first page, which is 36, now
18 going all the way to 43, where now I'm a part of
19 that conversation, it's a different -- it might be
20 the same group, but it's a different discussion.
21 It's a different --

22 Q (BY MR. ZAMBRANO) Understood,
23 understood. Thank you.

24 So from 36 to 43, it's one topic, and
25 from 44 onward, it's another topic. Is that

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1 Q Here's a followup question.

2 When -- was Ms. Nomura replacing someone
3 as the -- well, strike that.

4 What position was she going to have?

5 A Sorry, you said my name. Are you
6 referring to Daniels?

7 Q Yes. What position was Ms. Daniels going
8 to have on the tour?

9 A To oversee the dancers' wardrobe.

10 Q Was Ms. Daniels going to have a specific
11 title like you did or no?

12 A It was just a kind of generic wardrobe
13 assistant title.

14 Q Was Ms. Daniels replacing someone that
15 was previously going to have the duties of
16 overseeing the dancers' wardrobe?

17 A For Europe, no.

18 Q Was there a -- was there an American --
19 was there a U.S. leg of the tour right before the
20 European leg?

21 A Yes.

22 Q Okay. And do you have approximate memory
23 of how many weeks or months the U.S. leg was before
24 the European leg started?

25 A The specific dates I don't recall.

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1 Q Not the specific dates.

2 Was it like a couple of weeks, was it
3 months, the U.S. tour, or you don't have a memory?

4 A I don't recall the specific dates.
5 September, October probably.

6 Q Thank you. When you reached out for
7 recommendations to Ms. Daniels, what is your memory
8 of how it evolved that she was putting forth
9 yourself for this role?

10 A Sorry. Can you repeat that?

11 Q Sure. I understand that you called
12 Ms. Daniels asking Ms. Daniels for a recommendation
13 for someone to go on tour; correct?

14 A Correct.

15 Q But it was ultimately herself that went
16 on tour; right?

17 A Correct.

18 Q What is your memory of how the
19 conversation went from, Do you have a
20 recommendation? Hey, you should do it?

21 Do you have a memory of how that
22 happened, when you interacted with Ms. Daniels?

23 A I think that we just went back and forth
24 briefly. She was going to get back to me on some
25 recommendations. And, you know, her response was, I

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1 can't wait to work with you again.

2 So I -- I don't know verbatim how I said
3 it, but it was -- it's probably actually in these
4 documents, but just if she would like to possibly, I
5 was looking for someone for the dancers.

6 Q Okay. Do you have a memory of
7 Ms. Daniels recommending others for the role before
8 it ultimately ended up being Ms. Daniels herself?

9 A No. She had just said that she would get
10 back to me with some names.

11 Q If we can go to the second page of this
12 exhibit, and I want to start with the top exchange
13 in the light pink bubble. You said, "Oh, my gosh.
14 I totally know that. Believe me." Do you see that?

15 A Yes.

16 Q Do you have a memory of typing that?

17 A Not that I can recall.

18 Q "If they didn't have my soul locked into
19 a contract right now, I'd be saying the same thing
20 for myself LOL."

21 How about -- reading those two together,
22 does that help refresh your recollection that you
23 sent that text message?

24 A I don't recall what the whole
25 conversation was about.

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1 parents."

2 Can you tell me -- give me some context
3 how it is that you were asking about Ms. Daniels'
4 parents?

5 A That was the previous statement that we
6 already discussed where I was explaining where she
7 was crying that she couldn't get ahold of her dad,
8 who was sick.

9 Q Go to the next text message. It says,
10 "Thursday, February 23rd," and it's a message from
11 you saying, "Can you send the locals down," followed
12 by "Fast, please."

13 A Uh-hum.

14 Q What are you referring to with locals?
15 What does that mean?

16 A The wardrobe locals.

17 Q What do they do in reference to what you
18 and Ms. Daniels were doing at this time? What does
19 that mean, "wardrobe locals"?

20 A Every show, every city, we have wardrobe
21 locals. Every department has locals that come in
22 and assist for the show.

23 Q Did you have locals assisting you
24 directly?

25 A We had for the department.

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1 Q When you say "department," the wardrobe
2 department?

3 A Correct.

4 Q These people don't help -- I mean, what
5 would they do? Would they clean? Would they help
6 sew? What would they do?

7 A They would do laundry, steam, seamstress,
8 assist during the show Ms. Daniels.

9 Q Go a little further down in this text
10 message. There's a half a message that's here and
11 then a full message below it. The half message
12 starts with, "I can go back and e-mail him again and
13 let him know that it really isn't an option. Let me
14 know what you think. Very weird that they're being
15 this pushy as if people don't have their own lives
16 and schedules."

17 Do you have a memory of receiving a text
18 from Ms. Daniels like this?

19 A Yes, I do.

20 Q Do you have a memory, sitting here today,
21 what she was referring to about e-mailing him or
22 just the context of what she was referring to?

23 A Yes. This is back to -- it's not in
24 order specifically, but this is back to her
25 starting, and they were going back and forth on her

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1 Q What is your understanding why you
2 stopped working on the tour at the end of the
3 European leg?

4 A What is my understanding?

5 Q Yes.

6 MR. WEINSTEN: Of what?

7 MR. ZAMBRANO: Why you didn't continue to
8 work on the tour after the European leg ended.

9 A I chose to leave.

10 Q (BY MR. ZAMBRANO) Let's stop with that.

11 While Ms. Daniels was on tour starting in
12 14th or 13th of February, was it your understanding
13 that she was -- Ms. Daniels was reporting to you?

14 A Yes. I was training her.

15 Q Before she agreed -- strike that.

16 Before she got to you, did you explain to
17 her what would be expected of her as far as her job
18 duties and responsibilities?

19 A Yes, I did. We had like a three-hour
20 conversation.

21 Q That's a long conversation.

22 Do you have a memory of what you -- what
23 responsibilities or duties you told Ms. Daniels
24 during this conversation?

25 A Not specifically what we talked about

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1 over that conversation, but I walked her through a
2 general day so that she understood what we would be
3 doing.

4 Q Do you have a memory of specifics of what
5 you told her she would be doing?

6 A Yes, working with the dancers' wardrobe.

7 Q Did you explain to her that she would
8 need to be physically able to move items such as
9 wardrobe cases?

10 A I did, yes. I said it was very hard
11 work, which I also followed up with a WhatsApp
12 message.

13 Q To who?

14 A To the plaintiff.

15 Q Okay. So you sent Ms. Daniels a WhatsApp
16 message; correct?

17 A Correct.

18 Q Do you still have access to those
19 WhatsApp messages?

20 A Yes.

21 Q And why did you -- I'm just curious --
22 why did you go from the non-WhatsApp messages to the
23 WhatsApp messages, if you remember?

24 A We were talking over WhatsApp while I was
25 in London because of my service.

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1 changed?

2 A No, because there was never a lack of
3 privacy.

4 Q At least on one instance, there was a
5 time where they -- the tents couldn't be used, so
6 the dancers had to go somewhere else to have
7 privacy; correct?

8 A Correct.

9 Q And you have a memory of the one
10 instance; correct?

11 A Correct.

12 Q Remind me what city that was in.

13 A I don't recall.

14 Q I thought you said Oslo, but I am mixing
15 things up. I'll move on.

16 Did Ms. Daniels ever express to you that
17 she felt the dancers were being treated differently
18 because they were women of color?

19 A Never, no.

20 Q Do you have a memory of Ms. Nomura --
21 strike that.

22 Do you have a memory of Ms. Daniels
23 expressing concern that some of the crew were saying
24 things or treating the dancers in a way that
25 Ms. Daniels viewed as racist?

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1 A Sorry. Can you repeat that?

2 Q Sure. Did Ms. Daniels ever express to
3 you, Hey, some of these crew members back here, I
4 feel that they are saying things or treating the
5 dancers because the dancers are Black or words to
6 that effect?

7 A No.

8 Q From time to time, did you observe,
9 Ms. Nomura, that the dancers would rip their fishnet
10 stockings or other dance gear?

11 A Yes.

12 Q Did you ever observe Ms. Daniels provide
13 replacements for the ripped clothing during the
14 concert?

15 A During the concert, no.

16 Q Did you ever observe Ms. Daniels provide
17 an item to replace a ripped item during rehearsal?

18 A Rehearsal, no.

19 Q Okay. Did you ever see Ms. Daniels
20 provide a dancer an item so that they can replace a
21 ripped item?

22 A Yes.

23 Q And at any time when you saw Ms. Daniels
24 do that, did you ever tell her, Hey, you shouldn't
25 be providing those to them because of whatever

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1 reason you had?

2 A Yes. I instructed her on the protocol,
3 which was to have a local seamstress repair them
4 until they weren't repairable and then replace them.
5 They were \$40 a piece.

6 So with a show, it was not feasible to
7 replace every show. We would repair them until they
8 needed replacement, is what I instructed her.

9 Q Are fishnet stockings repairable?

10 A Yes.

11 Q Were there any exceptions to that rule
12 other than -- for instance, what if there was no
13 time to get a seamstress?

14 A We had a seamstress every show. That was
15 one of the locals.

16 Q So there were no exceptions to the rule.
17 Is that a correct statement?

18 MR. WEINSTEN: Objection. Vague and
19 overbroad.

20 Q (BY MR. ZAMBRANO) You can still answer.

21 A I -- exceptions, no. It was repair until
22 they couldn't be repaired, and then replace.

23 MR. ZAMBRANO: We have been going for an
24 additional hour. I am happy to keep going, or we
25 can take a break. You let me know.

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1 A Not at this time.

2 Q (BY MR. ZAMBRANO) Okay. Did Ms. Daniels
3 ever express to you that she believed you were
4 making fun of the dancers and how they spoke?

5 A No.

6 Q Did Ms. Daniels ever express concern that
7 she was observing you imitating the way the dancers
8 were acting or behaving?

9 A No.

10 Q Did Ms. Daniels ever use the phrase that
11 she felt what you were doing was offensive to
12 Ms. Daniels because it was expressing stereotypes of
13 Black women?

14 A No.

15 Q Did you ever refer to Black women or the
16 dancers on the tour as dumb?

17 A No.

18 Q Did you ever refer to the Black women on
19 the tour as useless?

20 A No.

21 Q Did you ever refer to the Black women on
22 the tour as fat?

23 A No.

24 Q Did Ms. Daniels ever express to you that
25 she believed you were saying those things about the

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1 Black women on the tour?

2 A No.

3 Q Do you have a memory of an incident while
4 Ms. Daniels was on the tour where she injured
5 herself?

6 A No.

7 MR. WEINSTEN: Assumes facts -- sorry.
8 Assumes facts not in evidence, but she answered.

9 A No.

10 Q (BY MR. ZAMBRANO) Do you have a memory
11 of -- did you ever have to roll a rack of clothing
12 as part of the loading and unloading for the tour?

13 A Yes.

14 Q Do you have a memory of Ms. Daniels in
15 one particular instance helping you push a rack of
16 clothing?

17 A No.

18 Q I am going to ask this anyway. I know
19 it's going to be obvious to you.

20 But do you have a memory of Ms. Daniels
21 pushing a rack of clothing where the rack rolled
22 over her foot?

23 A No.

24 Q Did you ever shove plaintiff into a rack
25 of clothing?

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1 A Never, no.

2 Q Did you ever tell Ms. Daniels that she --
3 just generally, okay? Not connected to a foot or a
4 rack of clothing, just generally -- did you ever
5 tell Ms. Daniels that she had to move clothing if
6 she was instructed to do so?

7 A I don't understand that question. Sorry.

8 Q Sure. In a vacuum -- my question is in a
9 vacuum. I am not relating it to the
10 rack-of-clothing questions or the foot questions.
11 Just in a vacuum. Okay?

12 Did you ever tell Ms. Daniels that
13 Ms. Daniels had to move clothing if Ms. Daniels was
14 instructed to do so?

15 A No, I never instructed her to -- I
16 don't -- the question -- she moved racks of clothing
17 because she was -- it was the dancers' wardrobe.

18 So her and the locals had to move them or
19 they wouldn't get there, if that makes sense.

20 Q Did you ever come across a scenario where
21 Ms. Daniels -- let me ask it another way.

22 From your perspective, did you ever
23 observe Ms. Daniels not move clothing that she
24 should have been moving, and thereafter you called
25 her and said, Hey, you got to make sure to move the

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1 clothing, or words to that effect?

2 A Not that I can recall.

3 Q Did a woman named Carlina -- do you know
4 who Carlina is?

5 A Yes.

6 Q Who is that?

7 A The -- she was the tour manager.

8 Q Do you remember what her last name is?

9 A I know it starts with a G, but I don't
10 know the -- I don't even know the pronunciation or
11 the spelling.

12 Q Okay. I believe it's Gugliotta. Does
13 that sound familiar?

14 A Yes.

15 Q Is it okay if I call her Carlina moving
16 forward?

17 A Yes.

18 Q Great. Did Carlina ever come to you and
19 tell you that Carlina received notice that
20 Ms. Daniels had injured her foot?

21 A No.

22 Q Did you ever give a direction to
23 Ms. Daniels to change into tennis shoes?

24 A Not specifically tennis shoes.

25 Q Did you ever direct her to wear any type

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1 of footwear?

2 A Yes, I did. From February 15th, her
3 first day in Oslo, I instructed her to wear proper
4 footwear besides the orange Crocs that she was
5 wearing, and we also received an e-mail from
6 production instructing us on proper PPE for Europe.

7 Q Is production Mr. Coffie?

8 A And Dulce as well, yes.

9 Q I don't want to make an assumption.

10 Do you have a memory of this PPE e-mail
11 coming from either Dulce or Mr. Coffie?

12 A Not a recollection, no, who specifically,
13 but there was always one on copy, if that makes
14 sense. If it was originating from Dulce, Mr. Coffie
15 was on copy in the e-mail.

16 Q I'm sorry, I missed that. Who was copied
17 on e-mail?

18 A Both production manager and assistant.

19 Q Okay. On that e-mail, was Ms. Daniels in
20 any way copied or addressed?

21 A It was a crew-wide e-mail, and I also
22 instructed her verbally.

23 Q And is -- I understand the Crocs were not
24 proper footwear.

25 What would have been proper footwear? As

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1 long as they are just closed-toe shoes, or is it a
2 category or a specific type of shoe, if you
3 remember?

4 A I just said specifically closed-toe,
5 closed-heel, not Crocs. That was day one,
6 February 15th.

7 Q Did Ms. Daniels ever express to you that
8 it was painful to walk in closed-heel shoes because
9 her ankle hurt?

10 A No.

11 Q Do you have a memory of Ms. Daniels
12 asking for any type of medical treatment?

13 A No.

14 Q Do you have a memory that Ms. Daniels was
15 assigned a -- let me lay a foundation.

16 Would you guys sleep in bunks while on
17 tour?

18 A Yes.

19 Q And did you know -- did you share bunks
20 with Ms. Daniels?

21 A Did I what? Sorry, I didn't -- what was
22 the question?

23 Q Did you share -- sure.

24 Did you share a bunk with Ms. Daniels?

25 A We shared a bus. We were on the same

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1 bus.

2 Q I said --

3 MR. WEINSTEN: He is asking about bunks.

4 Q (BY MR. ZAMBRANO) Sorry. I am using the
5 word "bunk," b-u-n-k.

6 A No. We had -- everyone had their own
7 bed, had their own bunk.

8 Q Okay. Were you aware whether Ms. Daniels
9 was assigned a higher -- a top bunk versus a lower
10 bunk?

11 A I believe she was on the top bunk, which
12 there's a floor and a middle. So it's not
13 specifically a top. It's a middle.

14 Q Did you ever observe Ms. Daniels having
15 difficulty getting into the higher bunk?

16 A No. I mean, the bunk is waist level, so
17 I never saw a difficulty getting into the bunk.

18 Q Do you have a memory of Ms. Daniels
19 expressing to you that she had difficulty getting in
20 what she perceived was a high bunk?

21 A No.

22 Q Do you have a memory of Carlina
23 expressing to you or bringing to your attention that
24 Ms. Daniels was complaining about difficulty getting
25 into a bunk?

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1 A No.

2 Q Do you have a memory of Ms. Daniels
3 breaking acrylic nails?

4 A I recall her cutting them with scissors.

5 Q From your perspective, her cutting them
6 with scissors was intentional on her part?

7 A Yes. She was trying to take them off.

8 Q How did you become aware of her intent?

9 A We were sitting in wardrobe together, and
10 she had a difficult time working with her nails that
11 she had on, and she took some scissors and cut them
12 off.

13 Q Did you understand, at the time that you
14 observed this or learned about this, that the reason
15 she was cutting them off was because she had already
16 broken them and had injured her nail?

17 MR. WEINSTEN: Assumes facts not in
18 evidence. You can answer.

19 A Aware that she had broken one, and that's
20 why she cut the rest off.

21 Q (BY MR. ZAMBRANO) Did you understand she
22 was bleeding because one of them was broken?

23 A She was not bleeding.

24 Q During the tour, did you ever use words
25 to the effect of that you would kill a bitch?

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1 A I never said that.

2 Q During the tour, did you ever use words
3 to the effect of that you would stab a bitch?

4 A No.

5 Q Did you ever -- let me lay a foundational
6 question. I'm not asking for what the specifics of
7 this is. I just want the broad category of, did you
8 ever inform people that you were looking for your
9 medication and you couldn't find it?

10 A No. I was never on medication.

11 Q Did you ever threaten to quit while you
12 were on tour?

13 A No.

14 Q Did you ever take issue with local
15 workers eating food that you believed did not belong
16 to them?

17 A Yes.

18 Q And in that instance, or one of those
19 instances, did you ever physically take the food out
20 of the local worker's hand?

21 A No, never.

22 Q Were there -- how were the local workers
23 supposed to get their food when they were assisting
24 on the tour, to your knowledge?

25 A We had two -- we had a tour catering and

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1 the locals had their own catering, and I instructed
2 the plaintiff that they were not supposed to be
3 going into -- the locals -- excuse me -- were not
4 supposed to be going into the tour catering. They
5 had their own catering.

6 Q Did you ever say words to the effect that
7 you would kill a bitch if it came down to it if
8 someone threatened your job?

9 A No, never.

10 Q Did you ever curse during the tour?

11 A I'm sure.

12 Q Did you ever curse at Ms. Daniels?

13 A Not that I can recall, no.

14 Q Did you ever tell Ms. Daniels that, if
15 she wouldn't do what you were instructing
16 Ms. Daniels to do -- that was a bad question. Let
17 me start again.

18 Did you ever tell Ms. Daniels that, if
19 Ms. Daniels wasn't doing what you were instructing
20 Ms. Daniels to do, that you would send Ms. Daniels
21 home?

22 A I never had the authority to send her
23 home.

24 Q Okay. I know you didn't -- you are
25 telling me you didn't have that authority.

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1 My question is, did you ever tell her
2 that, even though you didn't have that authority?

3 A I spoke with her on one occasion when --
4 after speaking to her about footwear again, then she
5 was walking around in just socks. So going above
6 and beyond being defiant.

7 And that's when I had spoken with Carlina
8 and just said, If you continue, it's just not going
9 to work out. I never said send her home. I just
10 said, This is not going to work out.

11 Q You just brought up Carlina's name in
12 this answer. I just want to make sure, you told
13 Ms. Daniels words to the effect, If you continue,
14 this isn't going to work out?

15 A Correct.

16 Q Okay. You didn't tell Carlina that;
17 right?

18 A No.

19 Q So you observed Ms. Daniels working in
20 just socks?

21 A Correct.

22 Q During what part of the day was she --
23 did you observe her doing that?

24 A Midday, sometime in the afternoon.

25 Q And what duties or responsibilities was

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1 she executing at the time that you saw her in socks?

2 A I assume her and the locals were prepping
3 the dancer wardrobe.

4 Q Is that what you saw them doing or --

5 A Well, when I walked into the room, it was
6 her and the two locals. So if the locals were still
7 present, then they were still working.

8 Q Did you ever communicate your observation
9 that Ms. Daniels was in socks to anyone in writing,
10 either text message or e-mail?

11 A Yes, I spoke with Carlina. I also
12 created a locked message for myself, timestamped day
13 and time, so if it progressed further, I had made
14 that note: I have already spoken to her about
15 proper shoes. Now she is walking around in just
16 socks.

17 So I have that timestamped, that day and
18 time, locked in my phone.

19 Q What's a locked message? I never heard
20 of that. What does that mean?

21 A It can't be deleted. It's not edited.
22 It's going to save the time I created it.

23 Q Is that through an application?

24 A It's just -- Apple Notes.

25 Q So through the Apple Notes application,

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1 you can create a note that you designate as
2 something you can never change; you lock it, so to
3 speak?

4 A You can change it, but I had it locked so
5 that it couldn't be accidentally deleted or it shows
6 any edits that have been made.

7 So it shows the original time and date
8 that I created that note.

9 Q Did you ever forward this note, this
10 locked note, to anyone?

11 MR. WEINSTEN: Objection to the extent it
12 calls for you to reveal attorney-client
13 communications. Instruct you not to answer if it's
14 just to counsel that you provided it to.

15 MR. ZAMBRANO: Let me ask it so that
16 there's no risk of this.

17 Q (BY MR. ZAMBRANO) Did you ever send that
18 note to anyone before Ms. Daniels stopped working on
19 the tour?

20 A Before, no.

21 Q Other than this locked message that you
22 didn't send to anyone before Ms. Daniels stopped
23 working on the tour, did you send any other writings
24 to anyone?

25 A No. I went directly to Carlina to let

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1 her know what was happening and --

2 Q That was a verbal communication; correct?

3 A Yes.

4 Q And just to close this loop, you did not

5 send her a text message -- "her" being Carlina --

6 Hey, Carlina. Asha is in socks.

7 You didn't send that in a writing;

8 correct?

9 A No. I walked across the hall into her

10 office and told her that she was walking around in

11 socks.

12 Q Did you ever tell Ms. Daniels that you
13 had smashed your finger while you were moving a
14 particular item during the tour?

15 A I don't recall smashing my finger.

16 Q Do you have a recollection that you
17 injured any part of your body while you were moving
18 things or rustling through things, either scrape or
19 cut or smash, anything?

20 A No, not that I can recall.

21 Q Did you ever seek medical treatment while
22 on the European tour?

23 A No.

24 Q Does the name Bree Runway sound familiar?

25 A Yes.

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1 Q Was there ever an issue with Bree

2 Runway's crew where you had a meeting with Bree

3 Runway's crew that Ms. Daniels was present?

4 A Yes.

Errata: change "crew" to
"Bree and her TM Paris"

5 Q Can you tell me what happened?

6 A I came into the wardrobe room in

7 Copenhagen, which was show 2, and Bree was in there.

8 Daniels was giving her some of our supplies from the

9 wardrobe case, and I instructed her that that's not

10 proper protocol. It's not in our budget. We don't

11 provide supplies for the opening artist and/or their

12 dancers.

13 Then -- I thought that was enough, just

14 verbally letting her know. And then, same day, I

15 come back to wardrobe, and Bree is in there with her

16 tour manager, and Daniels again is giving her

17 supplies. Bree is trying to ask for my artist

18 supplies.

19 Q Did you ever communicate to anyone that

20 you wanted Bree Runway's crew off the tour?

21 A No, and I don't even have that -- that

22 authority. I do wardrobe.

23 Q Did you communicate to anyone in writing

24 that Ms. Daniels was supposedly giving items to Bree

25 Runway's team?

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1 A Yes, I let -- not in writing, no. Not in
2 writing.

3 Q Who did you let know verbally?

4 A Carlina.

5 Q Anyone else other than Carlina?

6 A Not that I can recall.

7 MR. ZAMBRANO: Let's go through some
8 documents fairly quickly, hopefully.

9 This will be Exhibit 7, Counsel. It
10 starts with DAN 9 and DAN 10.

11 (Exhibit 7 marked and electronically
12 provided to reporter.)

13 MR. WEINSTEN: Yeah, I've got it. I am
14 going to put it in front of her, in front of the
15 witness.

16 MR. ZAMBRANO: Great.

17 Q (BY MR. ZAMBRANO) Do you have a two-page
18 document in front of you, Ms. Nomura?

19 A Yes.

20 Q Okay. And you will see that the top
21 exchange is an e-mail from yourself to Ms. Daniels.
22 Do you see that?

23 A Yes.

24 Q On February 15th; right?

25 A Yes. Yes, sorry.

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1 who was in A party. That's why the top says "LZ B
2 Party."

3 Q So ostensibly, the folks that are in the
4 e-mails from Molly are the folks that are in the B
5 party; correct?

6 A It should be everybody in B party.

7 Q When you initially spoke with Ms. Daniels
8 about the possibility that Ms. Daniels was going to
9 join, did you tell her how many hours a day she
10 would be working during the tour?

11 A That was part of that conversation where
12 I walked her through our day-to-day schedule and --
13 yes, I did.

14 Q And how many hours a day did you throw
15 away to Ms. Daniels that she would be working --

16 A I didn't have --

17 Q -- if she were to join -- I'm sorry. Go
18 ahead.

19 A There was no set hours specifically. It
20 was based off of show day and our production
21 schedule.

22 Q Would you have been part of B party? I
23 mean -- that's a bad question.

24 Would you -- in this Exhibit 7, in this
25 e-mail, see the schedule that I pulled up here?

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1 I know what triple triples is. You make
2 a reference because -- it says -- in this text
3 message saying, "you know because I'm about to go
4 off, hahaha."

5 What were you referring to in that part?

6 A Drinking a gin and tonic.

7 Q Okay. The next bubble says, "I need the
8 locals ASAP." Do you see that?

9 A Yes.

10 Q It seems to be, just from reading this,
11 that Asha had -- was around the locals more than you
12 were.

13 Was she like the point person for the
14 locals, or you were just not in the same area? Why
15 was it -- can you explain that to me?

16 A She -- you know, I just had Lizzo's
17 wardrobe and she had the dancers', and so the locals
18 were there to help basically do all the legwork.
19 They did all the laundry, all the steaming, they put
20 everything away.

21 They did all -- basically all the work.

22 Q Right. Is it that Ms. Daniels was around
23 them while they were doing all the work more than
24 you were?

25 A This was at the end of the night. That's

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1 why I'm saying the timestamp is not accurate.

2 The end of the night, the locals would
3 assist me with the racks. So if you go through -- I
4 had texted her that on several occasions, Please
5 send the locals, please send the locals.

6 She also created her own document of her
7 own duties that she labeled, Send locals to help
8 Amanda with my racks. So she never helped me. It
9 was always the locals. She even made that document
10 herself of her duties and when to send the locals.

11 I would just have to text her because --
12 I don't know -- time management or she would just
13 forget when to send them when I needed help.

14 Q Question about the earlier text.
15 The person that you say "she's
16 showering," are you referring to Ms. Jefferson?

17 A Correct.

18 Q Okay. Going back down, in this message
19 that's below Monday, February 27th, it says, "Can
20 you come help me in wardrobe real quick?" Do you
21 see that?

22 A Yes.

23 Q Do you have a memory of what you needed
24 help with on that particular instance?

25 A Yes. It goes to the same gray bubble

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1 underneath my next text. We were using some of the
2 merch hoodies for the show, and -- so I needed her
3 to come to wardrobe, since that was a dancer thing,
4 to then label the hoodies.

5 That was something we were adding to the
6 show.

7 Q Sitting here today, do you have a memory
8 of whether she did as you asked on this particular
9 instance?

10 A Between me, her, and the locals, we
11 completed that task with the hoodies.

12 Q The last two gray bubbles here, "Can you
13 give me a full count of makeup mirrors tonight? I
14 was told you said we were short, so I just want to
15 know by how many." Do you see that?

16 A Yes.

17 Q Do you have a memory of who told you that
18 Ms. Daniels had said they were short on mirrors?

19 A Molly Gordon.

20 Q Was there anything in your mind wrong in
21 Ms. Daniels bringing that up if perhaps there were
22 not enough mirrors?

23 A No. She just didn't let me know, so I
24 was not aware that there was any missing, and then
25 she never responded.

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1 So I really -- I don't even know what the
2 outcome of that was.

3 Q Done with that document.

4 MR. WEINSTEN: You okay?

5 How much longer?

6 MR. ZAMBRANO: I'm sorry, Counsel?

7 MR. WEINSTEN: No. I was asking the
8 court reporter. She was shaking her arms. So I was
9 asking if she needed a break, but --

10 MR. ZAMBRANO: Oh, we can take a five- or
11 ten-minute break.

12 THE REPORTER: No, I'm good.

13 MR. WEINSTEN: I'm going to have a couple
14 of questions, so why don't you finish your
15 questions, and then I am going to get a coffee,
16 because it's 3 o'clock here, and we can take a break
17 then, I think, unless you want to take --

18 MR. ZAMBRANO: I have 30 minutes. Would
19 the court reporter like to stop, or do you want me
20 to go --

21 THE REPORTER: No, I'm fine. I'm fine.

22 MR. ZAMBRANO: Okay. Moving on.

23 (Exhibit 11 marked and electronically
24 provided to reporter.)

25 MR. ZAMBRANO: Counsel, this is a

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1 Ms. Daniels?

2 A No.

3 MR. ZAMBRANO: Exhibit 12 is another
4 one-page document. It's Bates stamped DAN 13.

5 (Exhibit 12 marked and electronically
6 provided to reporter.)

7 Q (BY MR. ZAMBRANO) It's an e-mail -- do
8 you want me to make it bigger, Ms. Nomura?

9 A That's great right there.

10 Q Okay. So this is an e-mail. It has the
11 designation of Feb, February 25, and it says, "Hey,
12 didn't get a chance to talk to you after load out.
13 I just wanted to remind you that we're not done
14 until we have all our wardrobe cases loaded." Do
15 you see that?

16 A Yes.

17 Q Do you have a memory of sending this
18 e-mail to Ms. Daniels?

19 A Yes.

20 Q And was it around the time that she was
21 still on the tour; correct?

22 A Correct.

23 Q It goes on, "I wasn't able to find you to
24 help recover a missing case and realized you went to
25 shower already."

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1 Do you have a memory about when in the
2 schedule you were trying to look for her?

3 A It had to be the end of the night.

4 Q During the tour, was Ms. Daniels supposed
5 to tell you that, at least from her perspective, she
6 is done for the night, that she is going to go to
7 the bus?

8 A Yes. Like we -- that's the purpose of
9 the e-mail, is you -- we don't leave, and I'm saying
10 "we" as in I don't leave either, until all of the
11 work is completed.

12 Q It goes on, "It took us about 40 minutes
13 to find it between the two loading docks and the
14 trucks that had already been loaded."

15 That's -- you found the missing wardrobe
16 case; correct?

17 A Correct.

18 Q Was that wardrobe case containing the
19 dancers' wardrobe or Ms. Jefferson's wardrobe, if
20 you remember?

21 A Dancer or supply, because I had never
22 left my case -- Lizzo's cases.

23 Q How is it that you would know a case is
24 missing?

25 A We have a whole manifest and

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1 semi-truck -- truck pack. I mean, I don't know how
2 you could leave a case. Like a truck -- a
3 semi-truck has a pack, and it's taped onto the side
4 wall. The stage manager also has the truck pack PDF
5 e-mailed, everything. There's -- it's very
6 detailed. Like we are moving with semi-trucks full
7 of cases.

8 Q Did Ms. Daniels respond to you in any
9 way, to your e-mail that is displayed here in
10 Exhibit 12?

11 A I don't recall, but do you have the
12 full -- the full e-mail? Do you have the --

13 Q I only have this. This is you, Amanda.
14 So -- that's my question. I don't know if you have
15 a memory if she replied in an e-mail, maybe she
16 walked up to you later or maybe she didn't. I don't
17 know.

18 Do you have a memory that she responded
19 to this at all?

20 A I don't recall, no.

21 Q Okay. Do you have a memory of Ms. Nomura
22 expressing to you --

23 MR. WEINSTEN: She is Ms. Nomura.

24 MR. ZAMBRANO: I screwed up again.

25 Excuse me.

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1 Q (BY MR. ZAMBRANO) Do you have a memory
2 of Ms. Daniels expressing to you, Ms. Nomura, that
3 she felt a certain manner of the way the crew was
4 talking was inappropriate and too sexualized?

5 A No, never.

6 Q Did Carlina ever come to you and say,
7 Hey, you know, Asha is complaining that there's too
8 much of a sexualized environment?

9 Do you have a memory of words to that
10 effect from Carlina?

11 A No, never.

12 Q Okay.

13 MR. ZAMBRANO: Introducing Exhibit 13.
14 Counsel, this is Bates stamped DAN 32 to 34.

15 (Exhibit 13 marked and electronically
16 provided to reporter.)

17 Q (BY MR. ZAMBRANO) Do you want me to make
18 this bigger, Ms. Nomura?

19 A No, that's -- that's great.

20 Q Okay. And do you have a memory of a
21 WhatsApp group being created for the crew?

22 A Yes.

23 Q And do you have a memory of it being
24 labeled as it is here towards the top, "LZO Special
25 Tour - Crew"?

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1 pick up.

2 MR. ZAMBRANO: Perfect. Reviewing my
3 notes for the last questions. Thank you.

4 MR. WEINSTEN: All right.

5 THE VIDEOGRAPHER: The time is 3:14 p.m.
6 We are off the record.

7 (Recess taken from 3:14 p.m. to
8 3:23 p.m.)

9 THE VIDEOGRAPHER: The time is 3:23 p.m.
10 Mountain Time. We are back on the record.

11 Q (BY MR. ZAMBRANO) Ms. Nomura, we are
12 back on the record. Do you understand you are still
13 under oath?

14 A Yes.

15 Q Is there anything you talked about up to
16 this point you would like to revisit to change or
17 clarify?

18 MR. WEINSTEN: Objection. Vague and
19 overbroad.

20 A Not at this time.

21 Q (BY MR. ZAMBRANO) Do you have a memory
22 of meeting the -- excuse me.

23 Do you have a memory of meeting with
24 Bree's tour manager, and with Asha present, where
25 you specifically told the tour manager that Asha was

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1 not allowed to provide anything to them?

2 MR. WEINSTEN: Objection. Vague and
3 ambiguous, assumes facts not in evidence.

4 A I recall having a conversation with, yes,
5 Bree's tour manager and Daniels.

6 Q (BY MR. ZAMBRANO) What do you recall
7 being said, other than the topic of the material
8 that Ms. Daniels was providing to Bree's team?

9 A Sorry. Can you repeat that?

10 Q Sure. Other than the topic of
11 Ms. Daniels providing materials or items to Bree's
12 team, Lizzo's equipment, do you have a memory of any
13 other topics coming up during this meeting where
14 Ms. Daniels was present and you were speaking to
15 Bree's tour manager?

16 A Not that I can recall. That was the only
17 subject to discuss at that time.

18 Q Do you have a memory of the topic of
19 prayer circles coming up for Bree's -- the dancers
20 for Bree could not be in the same prayer circles as
21 Ms. Jefferson?

22 MR. WEINSTEN: I am going to object and
23 instruct not to answer. There's no allegation of
24 prayer circles.

25 You are now trying to backdoor your other

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1 MR. WEINSTEN: No. What I'm --

2 MR. ZAMBRANO: You are running a risk
3 that we are just going to come back. It's a
4 yes-or-no question. She can either deny or not.

5 I am not going to follow up after that.
6 She is either going to say yes -- or unless -- if
7 she says, Yes, we did talk about prayer circles,
8 then I will follow up, What happened? But if she
9 says no, I will move on.

10 MR. WEINSTEN: I am going to let you
11 answer, but it's -- I am just going to make it clear
12 that I am not going to let you backdoor and get into
13 issues that are not in the case.

14 But for purposes of speeding it along, I
15 will let you answer.

16 A This is the first time I have even heard
17 of that, so no.

18 Q (BY MR. ZAMBRANO) Thank you. I will
19 move on.

20 Towards the end of Ms. Daniels'
21 employment on the tour, do you have a memory that
22 she expressed to you that she had an allergic
23 reaction?

24 A No.

25 Q Was there a medical team available by

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1 A I don't know production's -- who they
2 would call, urgent care. I mean, I do wardrobe. If
3 there's an injury, I send them to production,
4 whoever that is. Locals -- like I don't have
5 anything to do with medical.

6 Q (BY MR. ZAMBRANO) Understood. Okay.
7 Did you ever speak with Ms. Jefferson
8 about Asha Daniels?

9 A No.

10 Q Do you remember the e-mail we looked
11 at -- and I am happy to bring it up -- where you
12 talk about -- to Ms. Daniels, You can't leave until
13 the cases are loaded or words to that effect? Do
14 you remember that e-mail?

15 A Yes.

16 MR. WEINSTEN: Well, actually,
17 misrepresents what the e-mail says, but go ahead.

18 MR. ZAMBRANO: Do you want me to bring it
19 up? I am just trying to save time.

20 MR. WEINSTEN: We know what -- she knows
21 what you are referring to. You just misrepresented
22 what it says. So that's my only objection.

23 You don't need to bring it up.

24 MR. ZAMBRANO: All right.

25 Q (BY MR. ZAMBRANO) Do you remember that

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1 was dated on February 25th?

2 A Yes.

3 Q And do you have a memory of how many
4 shows Ms. Daniels had already been a part of up to
5 the point of your e-mail?

6 A No.

7 Q Up to the point of that e-mail, had you
8 pointed out anything else or observed anything else
9 where Ms. Daniels was not meeting your expectations
10 in her role as a wardrobe assistant?

11 A Yes.

12 Q What else prior to that e-mail did you
13 observe?

14 A Being on time to work.

15 Q Anything else?

16 A Not that I can recall.

17 Q Did you send anyone any writing, text
18 message or e-mail, about Ms. Daniels supposedly
19 being late to work or not being on time to work?

20 A I texted Ms. Daniels.

21 Q Do you still have access to that text
22 message?

23 A I believe so. There were three
24 occasions, at least.

25 Q Did Carlina ever approach you to relay

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1 other people that were on tour's concern about your
2 behavior?

3 MR. WEINSTEN: Objection. Assumes facts
4 not in evidence, and vague and ambiguous.

5 Q (BY MR. ZAMBRANO) Do you have a memory
6 of that, Ms. Nomura?

7 A No. I don't understand your question.
8 Can you repeat?

9 Q Did Carlina ever come to you while you
10 were on the tour going, Hey, I don't know if this is
11 true or not, but people are complaining about you,
12 the way you are handling a situation or your
13 language or your behavior, anything to that effect?

14 A No.

15 Q What is your understanding why
16 Ms. Daniels stopped working for the tour?

17 A My understanding of it was that -- that
18 she quit, basically.

19 Q How did you come to that understanding,
20 that she had quit?

21 A When we were in Paris that last day, she
22 didn't work -- she wasn't working, didn't let me
23 know she's late or what was happening.

24 I found her in catering. I asked her,
25 Are you working? Are you working today? And she

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1 said no.

2 So to me that is, I mean, leaving your
3 position.

4 Q Okay. Did you relay to anyone that you
5 believe Ms. Daniels had quit?

6 A I spoke --

7 Q That's really, really vague.

8 On the day that you saw her in catering,
9 that day, did you tell anybody, Hey, Asha is not
10 working? Did you say anything on that day?

11 A Yes.

12 Q To who?

13 A I spoke with Carlina.

14 Q What was Carlina's response to you, if
15 any, if you remember?

16 A That she was basically going home. That
17 was the final --

18 Q Are you done with the answer?

19 A Yes.

20 Q Do you have a memory of being -- of any
21 exchanges, written exchanges, either text messages
22 or e-mails, where the topic of Ms. Daniels not
23 working in Paris came up?

24 A Do I have any texts or e-mails?

25 Q Yes.

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1 A Yes, I have a text from the person that
2 was sitting with her at catering. She was the one
3 that let me know that Ms. Daniels was around,
4 because she was -- hadn't let me know what was
5 happening. She just was gone.

6 Q What's the name of this person?

7 A I can't remember the name.

8 Q Do you believe you still have access to
9 that text?

10 A Possibly.

11 Q Were you ever told that Ms. Daniels was
12 let go for -- involuntarily for poor performance?

13 A Sorry. For that tour that she was let
14 go?

15 Q Yes.

16 A No. I have no followup after her not
17 showing up. I had a show to do. I never followed
18 up.

19 Q Do you know what PS Business Management
20 is? Have you heard of that?

21 A It doesn't sound familiar.

22 Q After Ms. Daniels stopped working on the
23 tour, did you speak with anyone about the reasons
24 why Ms. Daniels wasn't on the tour?

25 A After she left?

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1 Q Before this -- yes, before the lawsuit
2 started. So we exclude any communications with
3 counsel.

4 A Not that I can recall.

5 MR. ZAMBRANO: Counsel, I seem to be
6 done.

7 MR. WEINSTEN: All right. Let me ask a
8 few questions.

9 Anybody need a break, or are we good to
10 go?

11 I am going to be sitting here talking to
12 you, but the camera is over there. So you may want
13 to -- you may be looking back and forth, but I just
14 want you to be cognizant, I'm not the jury.

15 EXAMINATION

16 BY MR. WEINSTEN:

17 Q Ms. Nomura, thank you for -- I'm Michael
18 Weinsten, as you know. I'm your counsel and the
19 counsel for defendant in the case. I have a few
20 questions to ask for you as well.

21 Let's just start, when did you start
22 working with Ms. Jefferson on tour?

23 A Around August-September of 2022.

24 Q Okay. And could you briefly describe
25 what your job position and responsibilities were?

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1 A I was supposed to just be maintaining the
2 artist's wardrobe and making sure that everything
3 was prepped and ready to go for the show; scheduling
4 the locals, you know, that we would need daily, or
5 seamstresses. Just kind of overseeing anything
6 wardrobe-related.

7 Q Okay. And how long have you been a
8 wardrobe manager or -- let's just start broad.

9 How long have you been in the business of
10 either designing or being involved with wardrobe,
11 specifically for entertainers?

12 A Since about 2007.

13 Q Okay. And have you been on other tours
14 before?

15 A Yes.

16 Q With whom?

17 A Gosh. I would have to like -- there's a
18 lot, but if I'm just --

19 Q Just give us some examples.

20 A Green Day, the Eagles, Billie Eilish,
21 Christina Aguilera.

22 Those are probably the -- I mean, there's
23 a lot of shorter tours in between, but as far as
24 like long term, those are probably the top.

25 Q Okay. And are you also a designer?

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1 A Yes.

2 Q Okay. Did you do any designs for these
3 other tours that you were just describing, or were
4 you acting more as a wardrobe manager?

5 A I did some designs, custom pieces that
6 were incorporated with the stylist's designs as
7 well. That included.

8 Q And how did it come to be that
9 Ms. Daniels became hired to be your assistant? If
10 you could just briefly describe that for us.

11 A Yeah. I, again, had met her while she
12 was Mondo's assistant. And that communication that
13 we had over that month of Mondo and I and Alana
14 trying to design the dancer costumes, she seemed --
15 I knew that she knew how to sew, she seemed eager,
16 always responsive when I needed to know an update.

17 And so when it came to Europe, to find
18 someone, I knew that she was aware of the costumes
19 previously while she was assisting Mondo. So I
20 thought it would be a great transition.

21 Q Okay. Did there come a time where you
22 became concerned about Daniels being hired?

23 A I would say almost as soon as she was
24 officially on the tour, part of that three-hour
25 conversation that we had, she had asked when her

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1 boyfriend, or I'm not sure -- her person would be
2 able to come out to the tour and visit.

3 And it was a little red flag. That's why
4 I followed up letting her know how difficult the
5 work was, how much we were working, and if it was
6 possible for him to come out and visit on a day off,
7 then I had no issue. But it wasn't like a hangout
8 environment.

9 Q Okay. Once she actually was starting to
10 work on the tour, was there -- did something come up
11 sooner rather than later that drew your attention
12 that it was problematic?

13 A Just from day one. She was about an hour
14 and a half late. I had to text her, you know, Hey,
15 where are you? She said -- I had a conversation
16 with her in wardrobe, just day one, like, You got --
17 it's crucial you're on time. Especially the
18 industry -- it's a bus tour -- if you are late, they
19 will leave you. I was trying to give it to her
20 upfront.

Errata: change "which was not" to
"which was"

21 And then day two, which was not
22 February 17th, she was late again. I had to text
23 her, Are you on your way? Day two was also the day
24 that she was crying and, you know, the phone, the
25 radio lost, the radio that she lost.

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1 Our next show was on the 19th. She was
2 late. I had to text her again. Something similar.
3 Are you on the way?

4 And then the proper footwear, which -- I
5 don't think she even had anything but Crocs until
6 after the four or fifth show. So --

7 Q Was she wearing Crocs on the first day?

8 A Yes.

9 Q And did you discuss that with her?

10 A Yes.

11 Q What did you discuss?

12 A I walked around the venue, and I showed
13 her how -- how unsafe -- not the venue itself, but
14 there was hazards. It's a -- it's like a
15 construction site.

Errata: change "hazard vests and silco boots" to "Hi-vis vests and steel toe boots"

16 Everybody else was wearing hardhats and
17 hazard vests and Silco boots, and there's forklifts
18 and semi-trucks and delivery trucks and all of
19 the -- I mean, there's a million things that could
20 happen.

21 And so I tried showing her -- also part
22 of her job was laundry. So she had to cross through
23 that whole loading dock area with the semis, with
24 forklifts, to get to the washer and dryer. And
25 that's why I was explaining having proper footwear,

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1 just as a start.

2 Q And after you advised her of this on the
3 first day, did she take your advice?

4 A No.

5 Q Did you speak to her again?

6 A I did.

7 Q And what was -- similar conversation?

8 A Similar conversation, just having her be
9 aware. Part of the e-mail from production was that
10 certain cities in Europe, they have basically like
11 European OSHA, and if you were seen without the
12 proper PPE, that you would be fined, the tour would
13 be fined.

14 Q Did there come a time -- by the way, did
15 she do any of the designs -- to your knowledge, did
16 she do any of the designs for the European tour?

17 A No.

18 Q Did there ever come a time, to your
19 knowledge, that she tried to submit designs for the
20 European tour?

21 A Yes.

22 Q When was that?

23 A That was probably around the fourth --
24 fourth show.

25 Q Okay. And did you review her designs?

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1 A No.

2 Q We talked a little bit about that her
3 last day was on March 5th.

4 Can you tell me what happened on
5 March 5th, to the best of your recollection?

6 A March 5th, Paris. It was a huge show,
7 had new costumes, early call, and Daniels never
8 showed up.

9 I spoke with Gina, a catering assistant.
10 She said that Daniels was hung over, and, you know,
11 I had work to do from the previous messages where I
12 texted her when she was late, Are you on your way?
13 Are you coming? I kind of felt I just didn't have
14 the time to try and track her down again.

15 So when I finally saw her, it was around
16 noon, lunch, in catering, when she said she wasn't
17 working, and she told me she wasn't going to work.

18 Q And what did you do?

19 A I spoke with Carlina. I told her what
20 was happening, and I went back to work.

21 Q Did there come a time you learned that
22 she was let go because she wasn't working or sent
23 home? Let's say the words "sent home."

24 A I found out through Carlina that
25 production had -- had the travel agent purchase her

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1 ticket home.

2 Q Okay. Did you see her later that day
3 after she refused to work?

4 A I did.

5 Q And what did you see?

6 A She was hanging out with Bree and her
7 dancers in the room directly across from mine, maybe
8 five feet away. And they were drinking alcohol
9 until about 3 in the morning.

10 Q Okay. Did that upset you?

11 A Yes.

12 Q Was she laughing?

13 A Yes.

14 Q Anything else you can recall from that
15 day prior to her actually leaving?

16 A After I found out that the travel agent
17 had purchased her ticket home and that she would be
18 leaving, I was out working, doing something in the
19 venue, and I came back into wardrobe. She was in
20 wardrobe doing her makeup.

21 And I asked Carlina and security, like,
22 you know, if she quit or was let go. I -- you know,
23 I just didn't want her -- she had no reason to be in
24 wardrobe, basically.

25 Q Okay. I want to get into some of the

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1 specific allegations of the complaint now. I will
2 just go through them in the order they show up in
3 the complaint, easiest way to do this.

4 Ms. Daniels has claimed that she designed
5 custom pieces for the tour. Is that true?

6 A No.

7 Q And you know this why?

8 A I was part of the process from the very
9 beginning, and she never designed for the tour or
10 stylist either.

11 Q Ms. Daniels claimed also in the complaint
12 that she worked a seven-day week.

13 Is that -- to your knowledge, did that
14 ever happen?

15 A No.

16 Q And how do you know that?

Errata: change "issues" to
"daysheets"

17 A The -- you have the issues that were
18 submitted, and our work schedule was just those show
19 days.

20 Q Did she work on non-show days, to your
21 knowledge?

22 A No.

23 Q And in the period of time from the time
24 she was hired through the time she left, were there
25 more show days than there were non-show days or the

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1 same or less?

2 A Gosh, that's a tough one. I would say

3 show day, day off, show day, two days off. I

4 mean --

5 Q Okay. And those days off, she wasn't

6 working. Is that your testimony?

7 A Correct.

8 Q Okay. She also claimed in the complaint

9 that she was denied breaks.

10 Are you aware of that ever happening?

11 A No.

12 Q Did you ever see her taking breaks?

13 A Yes. She would take breaks with the

14 locals.

15 Q Okay. Why was she taking breaks with the

16 locals?

17 A It just made -- it made sense that, while

18 they were taking their break, that she would take

19 her break so that, when they came back from their 15

20 minutes, you know, they could get back together and

21 continue.

22 Q Okay.

23 A Wherever they left off.

24 Q Okay. Did there ever come a time that

25 you instructed Daniels not to approach Lizzo?

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1 A Yes.

2 Q And tell me why.

3 A Really easy answer. Because she was not
4 hired to work with Lizzo, and there was no reason
5 that she would ever have to meet her.

6 And I never instructed her not to. I
7 just talked to her, and I said, This is, you know,
8 the artist's backstage. This is their personal
9 private space with their family and friends. We are
10 not here to socialize.

11 Q Okay. Did Lizzo ever -- to your
12 knowledge, did Lizzo ever get upset with you for
13 speaking with her boyfriend?

14 A No, never.

15 Q Were there ever times that you did speak
16 with her boyfriend?

17 A It was very simple. It was like a hello,
18 if he said hi to me while I was in her dressing
19 room.

20 Q Have you ever heard of or observed Lizzo
21 being jealous because somebody was speaking to her
22 boyfriend?

23 A No.

24 Q Had you ever had a discussion with
25 anybody about Lizzo being jealous about people

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1 speaking with her boyfriend?

2 A No.

3 Q Okay. There's an allegation in the
4 complaint that there was a culture of racism and
5 bullying on Lizzo's tour. Let's start with the
6 first one.

7 Are you aware of any facts to support the
8 claim that there was a culture of racism on the
9 tour?

10 A No.

11 Q Are you aware of any facts to support the
12 claim that there was bullying on the tour?

13 A No.

14 Q Never observed any of those things
15 yourself?

16 A No.

17 Q There's an allegation in the complaint
18 that the dancers were not provided a private place
19 to change their outfits, and I heard your testimony
20 a little earlier.

21 Can you describe the accommodations for
22 dancers to change their outfits?

23 A Sure. It was a -- then it was kind of a
24 ten-by-ten pop-up tent that had Velcro on four
25 walls. We also supplied a full-length mirror,

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1 somewhat of a first aid/toiletry kit that contained
2 anything they might need: Rubber bands, Band-Aids,
3 ice packs, safety pins, sewing kit. I even had pads
4 and tampons in there. I mean, it was a whole thing,
5 anything the dancers could possibly need.

6 And then there was five chairs with the
7 dancer's name on each chair, one of those on stage
8 left and one on stage right. So five dancers in
9 each tent.

10 Q Okay. To your knowledge, were these
11 tents -- when the dancers would be inside changing,
12 was it fully enclosed?

13 A Fully enclosed.

14 Q Okay. Did you ever see any crew members
15 gawking or giggling at the dancers changing?

16 A No.

17 Q Are you aware of that ever happening?

18 A No.

19 Q Did anyone ever complain to you about
20 such a thing happening?

21 A Never.

22 Q Did you ever reprimand Ms. Daniels for
23 providing stockings to dancers?

24 A Not reprimand. I just asked just to
25 follow the protocol of making sure they were

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1 repaired first. Also had to do with not providing
2 those supplies to the opener artist and her dancers.

3 Q I skipped over one thing.

4 There was an allegation in the complaint
5 that you personally laughed at the dancers' poor
6 accommodations and advised plaintiff not to alert
7 anyone else about the issue or try to fix the issue.

8 Did that ever happen?

9 A No. And further on that, the dancers
10 would have notified Molly or Carlina immediately.

11 So I also was not in charge of the
12 quick-change tent. That was the stage manager.

13 Q Okay. So there's an allegation here that
14 plaintiff says she was forced to hear racist and
15 fatphobic comments from you.

16 Did you ever make any racist or fatphobic
17 comments in front of Nomura (sic)?

18 A Never.

19 Q Did you ever call the dancers dumb?

20 A Never.

21 Q Did you ever call them stupid?

22 A No.

23 Q Did you ever call them fat?

24 A No.

25 Q Is that even something that you would

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1 even consider doing or thinking about?

2 A No.

3 Q Did you ever make fun of the dancers for
4 their weight?

5 A No.

6 Q Did Ms. Daniels ever complain to you
7 about comments that you made that she believed were
8 offensive?

9 A No.

10 Q Did she ever complain to you about you
11 making imitations of the dancers?

12 A No.

13 Q Did you ever make imitations of the
14 dancers?

15 A No.

16 Q Okay. Now, you talked about this a
17 little bit earlier. I want to go over it again.

18 Did you ever roll a rack over
19 Ms. Daniels' foot?

20 A No.

21 Q Did you ever transport a rack with
22 Ms. Daniels?

23 A No.

24 Q Would that have even been something that
25 could have possibly occurred?

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1 A Possibly, but I always used the locals,
2 which is part of those texts where I'm asking for
3 the -- for her to please send the locals to assist
4 me.

5 Q Were you aware of Daniels ever injuring
6 her foot or her ankle on the tour?

7 A No.

8 Q Did she ever complain about injuring her
9 foot or ankle on the tour?

10 A No.

11 Q Did you ever observe her limping around
12 on the tour?

13 A No.

14 Q Were you ever aware of Daniels injuring a
15 nail?

16 A I would say cutting them is kind of an
17 injury to yourself. I can imagine that.

18 Q What are you aware of -- just tell me
19 whatever you know with respect to Daniels and her
20 nails.

21 A I just knew that she told me she had
22 broken one and that she was cutting the rest off.

23 Q Okay. She claims in her complaint that
24 she had bleeding wounds.

25 Were you aware of that?

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1 A No.

2 Q Did you ever observe her having bleeding
3 wounds around her fingers?

4 A No.

5 Q Did you watch her as she was cutting her
6 nails?

7 A Yes.

8 Q Did she ever ask you for or ask for
9 medical treatment, to your knowledge, while she was
10 on tour?

11 A No.

12 Q Did you ever deny her medical treatment?

13 A No.

14 Q Had she requested medical treatment,
15 would you have done something about it?

16 A Yes.

17 Q What would you have done?

18 A I would have gone to production, and then
19 they would have, I'm sure, processed an injury
20 report.

21 Q Okay. Daniels claims that she was -- I
22 guess there's some problem that she had to sleep in
23 a top bunk.

24 Do you know whether or not she ever slept
25 in a top bunk?

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1 threatened your job.

2 Did those words ever come out of your
3 mouth?

4 A No.

5 Q Did any words close to that ever come out
6 of your mouth?

7 A No.

8 Q Were you ever concerned that somebody was
9 threatening your job?

10 A No.

11 Q By the way, did anyone ever threaten your
12 job?

13 A No.

14 Q Okay. I believe it was Exhibit 13, there
15 was a post or a -- on a group chat that was -- you
16 indicated it was a birthday post for one of the crew
17 members.

18 Do you recall that post?

19 A Yes.

20 Q I don't know if it's a post. What do you
21 call it on a group chat? Is it a post or a --

22 A Yeah, a snap photo.

23 Q First of all, was that post sent before
24 or after Ms. Daniels left the tour?

25 A After.

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1 Q Okay. Can you tell me the

2 circumstances -- do you recall the circumstances

3 under which that post was made?

4 A I just remember that it was for his

5 birthday. I don't know what happened before then.

6 Q Okay. Did anyone, to your knowledge,

7 ever complain or suggest that they were

8 uncomfortable by that post?

9 A No.

10 Q Were you uncomfortable by that post?

11 A No.

12 Q Why not?

13 A To be honest, I didn't even see it until

14 after. I was working so much that it was just

15 another scroll through -- not even crew people.

16 Just, you know --

17 Q All right. Sitting here today, are you

18 uncomfortable by that post?

19 A No.

20 Q Okay. There's an allegation --

21 Ms. Daniels claims in her complaint that she

22 witnessed you, crew, and Lizzo's management openly

23 discussing hiring sex workers for lewd sex acts.

24 Let's just start with, did you ever

25 discuss hiring sex workers for lewd sex acts with

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1 while you were on tour?

2 A No.

3 Q Are you aware of anybody discussing
4 buying hard drugs on tour?

5 A No.

6 Q So Ms. Daniels claims that she felt
7 pressured to join such activities, meaning hiring
8 sex workers, attending sex shows, buying hard drugs.

9 Did you -- did she ever complain to you
10 about these things?

11 A No.

12 Q Did you ever hear that she felt that she
13 was being pressured into issues of hiring sex
14 workers or attending sex shows or buying hard drugs?

15 A No.

16 Q By the way, to your knowledge, did she
17 ever attend a sex show or a lewd sex act or buy hard
18 drugs while on tour?

19 A No.

20 Q Did Carlina -- was she your supervisor,
21 or what was the relationship, work-wise, between the
22 two of you?

23 A She was basically my supervisor when it
24 came to anything artist-related.

25 Q Did she ever come to you and say that

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1 Ms. Daniels was complaining about you?

2 A No.

3 Q Other than, I guess -- did you ever hear
4 from her that Daniels claimed that you wouldn't take
5 her designs because she was Black?

6 A Oh. That's when -- she never came to me.
7 It was when -- one of the times I had gone to her
8 with the sock -- socks incident, where she was
9 walking around.

10 So I went to let Carlina know about that,
11 and that's when she let me know about the designs
12 and that it was because she was Black.

13 Q Okay. Other than that, were there any
14 instances where Carlina complained to you that you
15 were mistreating Ms. Daniels?

16 A No.

17 Q Okay. Did you ever mistreat -- to your
18 knowledge, now that you have heard her allegations,
19 do you feel in any way that you mistreated
20 Ms. Daniels?

21 A No, I don't.

22 Q By the way, did anyone, to your
23 knowledge, ever complain about your performance on
24 tour?

25 A No.

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1 frustrated about?

2 A There was a few. I mean, it's really
3 vague.

4 I don't understand why -- like I just
5 said, I just chose to leave. I didn't have a
6 contract end date.

7 Q To your understanding, did your decision
8 to leave the tour have anything to do with
9 Ms. Daniels?

10 A In the beginning, yes.

11 Q In what way?

12 A By the end of Paris, when she refused to
13 work and then was drinking alcohol in front of me
14 until 3 in the morning, was a little upsetting.

15 Q What was she drinking?

16 A What was she drinking?

17 Q What did you see her drinking?

18 A Oh. I don't know. I just saw the
19 bottles in the room.

20 Q What bottles?

21 A I don't recall.

22 Q Were they -- do you know what type -- I
23 mean, certain alcohol, there's a certain type of
24 bottle. Can you give me like, Oh, this type of
25 alcohol?

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1 You have no memory of it?

2 A No.

3 Q Okay. And she was -- according to you,
4 she was drinking with who?

5 A She was drinking with Bree and the
6 dancers.

7 Q Bree's dancers or Ms. Jefferson's
8 dancers?

9 A Bree's dancers.

10 Q And that really upset you?

Errata: change
"While" to "well"

11 A While she had her red Solo Cup about five
12 inches from my face laughing at me, so that was
13 upsetting, yes.

14 Q Who did you text because you were so
15 upset about that?

16 A Oh, Carlina. I asked her to -- to --
17 asked -- I asked Carlina to have Ms. Daniels leave,
18 which -- that was like the last that I remember
19 communicating about Ms. Daniels that evening.

20 Q Was this after Ms. Daniels supposedly had
21 quit?

22 A Yes.

23 Q Okay. So there is a text message from
24 you to Carlina about Ms. Daniels drinking in front
25 of you; correct?

AMANDA NOMURA
DECEMBER 01, 2024

(CONFIDENTIAL)

JOB NO: 1898898

1 I, AMANDA NOMURA, do hereby certify that I
2 have read the foregoing transcript and that the same
3 and accompanying amendment sheets, if any,
4 constitute a true and complete record of my
5 testimony.

AM

Signature of Deponent

☐ No Amendments☒ Amendments Attached

13 Acknowledged before me this 19th day
14 of January, 2025.

Notary Public: Elisa Nicole JoinerMy commission expires: 6-24-2028

Seal:

ELISA NICOLE JOINER
NOTARY PUBLIC - STATE OF COLORADO
Notary ID #20244023645
My Commission Expires 6/24/2028

AMANDA NOMURA
DECEMBER 09, 2024

CONFIDENTIAL

JOB NO. 1335894

1 STATE OF COLORADO)

2) ss. REPORTER'S CERTIFICATE
3 COUNTY OF DENVER)

4 I, Ellen Leifer, do hereby certify that I
5 am a Certified Shorthand Reporter and Notary Public
6 within and for the State of Colorado; that previous
7 to the commencement of the examination, the deponent
8 was duly sworn to testify to the truth.

9 I further certify that this deposition was
10 taken in shorthand by me at the time and place
11 herein set forth, that it was thereafter reduced to
12 typewritten form, and that the foregoing constitutes
13 a true and correct transcript.

14 I further certify that I am not related
15 to, employed by, nor of counsel for any of the
16 parties or attorneys herein, nor otherwise
17 interested in the result of the within action.

18 In witness whereof, I have affixed my
19 signature this 17th day of December, 2024.

20 My commission expires November 27, 2026.

21 
22

23 Ellen Leifer, CSR
24
25

AMANDA NOMURA
DECEMBER 09, 2024

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JOB NO. 1335894

ERRATA SHEET

CHANGES IN TESTIMONY

ASHA DANIELS v BIG GRRRL BIG TOURING, INC, et al.

AMANDA NOMURA

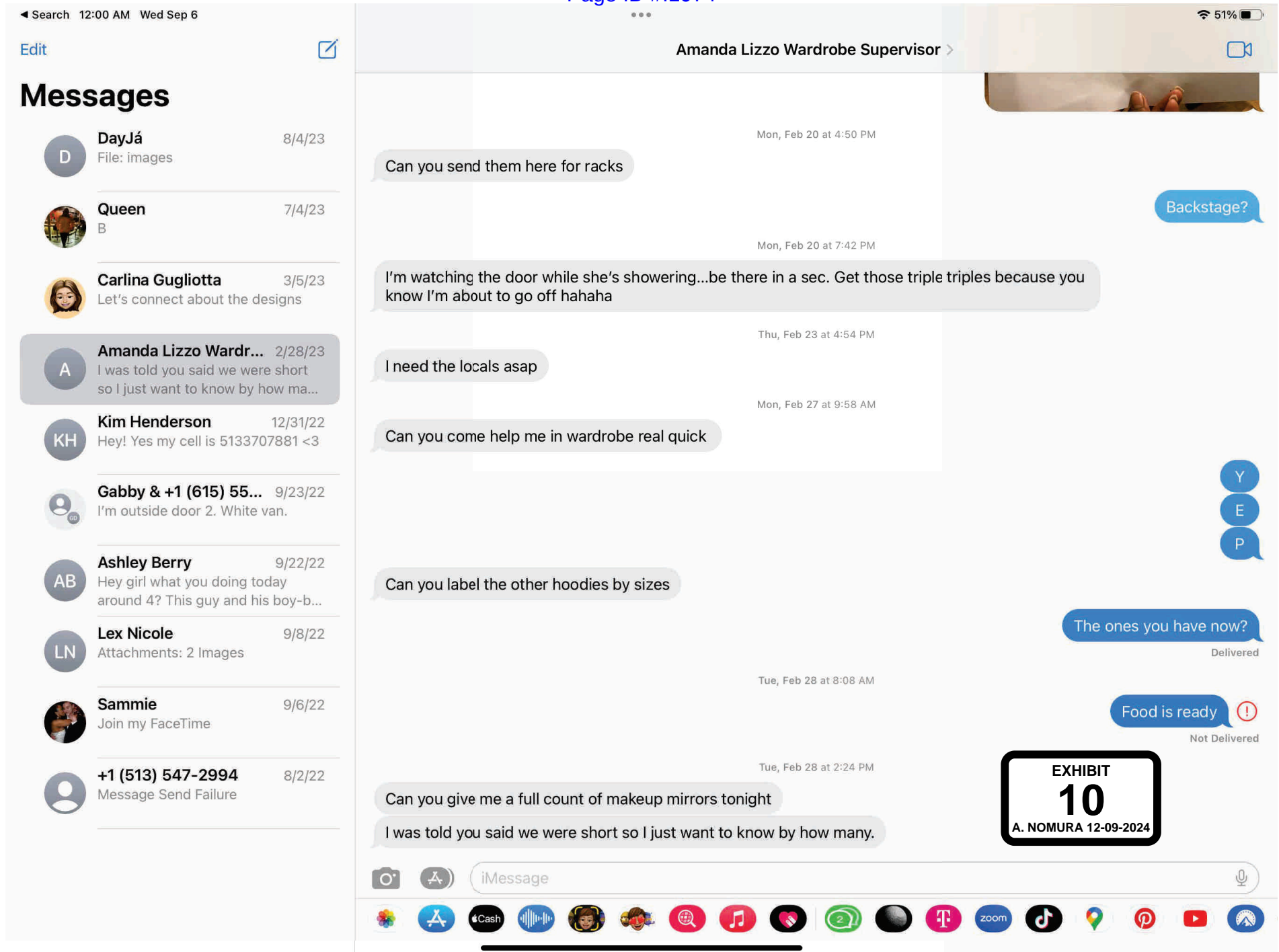
December 09, 2024

Page	Line	From	To
55.	19.	"I was called"	"I recall"
105.	1-3	"crew".	"Bree and her TM Paris"
145.	21	"which was not"	"which was"
146	17	"hazard vests and silco boots".	"Hi-vis vests and steel toe boots"
151.	17	"issues"	"daysheets"
168.	7	"had"	"have"
172.	11	"While"	"well"

SIGNATURE:  DATE: 01/18/2025

AMANDA NOMURA

EXHIBIT 12



Search 3:49 PM Wed Aug 2

Edit

Messages

Queen 7/4/23
B

Carlina Gugliotta 3/5/23
Let's connect about the designs

Amanda Lizzo Wardr... 2/28/23
I was told you said we were short so I just want to know by how ma...

Kim Henderson 12/31/22
Hey! Yes my cell is 5133707881 <3

Gabby & +1 (615) 55... 9/23/22
I'm outside door 2. White van.

Ashley Berry 9/22/22
Hey girl what you doing today around 4? This guy and his boy-b...

Lex Nicole 9/8/22
Attachments: 2 Images

Sammie 9/6/22
Join my FaceTime

DayJá 9/1/22
Website: Full Show.mp4 (dropbox.com)

+1 (513) 547-2994 8/2/22
Message Send Failure

Carlina

iMessage
Thu, Feb 23 at 7:17 AM

Hey Asha

I was about to ask for the name of your guest and then I remembered you said you didnt need it anymore 😂

This is my number, lets touch base later please .Carlina

Thu, Feb 23 at 10:21 AM

Yes I'm just going to the washer

Do you want to come to my office?

Yes! Is this a good time?

Where is your office?

Yes

Down the hall

On the same level as you

Past Lizzos room

It says Tour Manager

Fri, Feb 24 at 6:38 AM

How's it going today?

Hey! Thank you for checking on me- She's started with me today. The locals got in before there was work that could be done so I let them go grab coffee & one was going to grab something to eat and she snapped at them & told them they couldn't. Then she came to me and told me they're not allowed to have our food. I told her ok but I hadn't heard that rule before (I've seen other locals welcome to the food) but ok I won't going forward. She got upset with me not just saying "ok" & told me when she says something to me I need to just say "ok" & again in front of the girls told me I could go home. I stood up for myself but it's pretty draining being picked at constantly. I told her we'd get a lot more from our team if we had a kind, respectful tone.

iMessage

App Store Cash Podcasts Photos Messages Maps Music App Store Cash Podcasts Photos Messages Maps Music App Store Cash Podcasts Photos Messages Maps Music

Search 3:49 PM Wed Aug 2

Edit



Messages

**Queen**
B

7/4/23

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Hey girl what you doing today
around 4? This guy and his boy-b...**Lex Nicole** 9/8/22
Attachments: 2 Images**Sammie** 9/6/22
Join my FaceTime**DayJá** 9/1/22
Website: Full Show.mp4
(dropbox.com)**+1 (513) 547-2994** 8/2/22
Message Send Failure

Carlina >



Oh god ok. I'm sorry Asha, it'll be addressed today if that's good with you?

That would be amazing. I want her to stop bullying & just be kind/respectful to me & our team. To not touch anyone physically, to stop telling me I can go home. It's not lost on me that I'm one of the only black women working behind the scenes & I feel like she is treating me like I'm a slave and can't have a voice. I truly appreciate your help & support this is exhausting. I'm constantly having to apologize to our team and others on the crew for her rude behavior. I'd also love some clarity on if the locals are allowed to eat the catering.

Ok I totally understand. I'm going to talk to her today for you. We dont want anyone to feel like they are being bullied or not having a nice time, tour is hard enough when we do get on, yet alone when this sort of stuff is going on

Yes, the locals are allowed to eat catering. I'll tell her about that too

Thank you <3 can you also tell her not to retaliate or yell at me for talking to you.

Truly appreciate you <3

Oh absolutely of course. This is to make it better not worse

Also, you arent the only black woman just so you know 🙄 We are very female heavy behind the scenes on this tour which is great and we do have another black lady in video/lighting 🙄

You probably havent met many people yet

We can try to change that in Cologne

Thank you. If you could also tell her not to police who I talk to. I think I told you when I told her I didn't like that she ran over my foot with the rack and then pushed me she lied and said I smashed her finger. And when I told her I don't want to be disrespected anymore she she said I was disrespectful. She's also said she'd stab someone over her job. Just saying this to you because I'm sure she'll deflect with a lie.

Ok- yes that's amazing! & makes me so happy! I'd love to hang in Cologne! I truly have felt very welcomed by this team and would love for the rest of this tour to be a positive experience <3

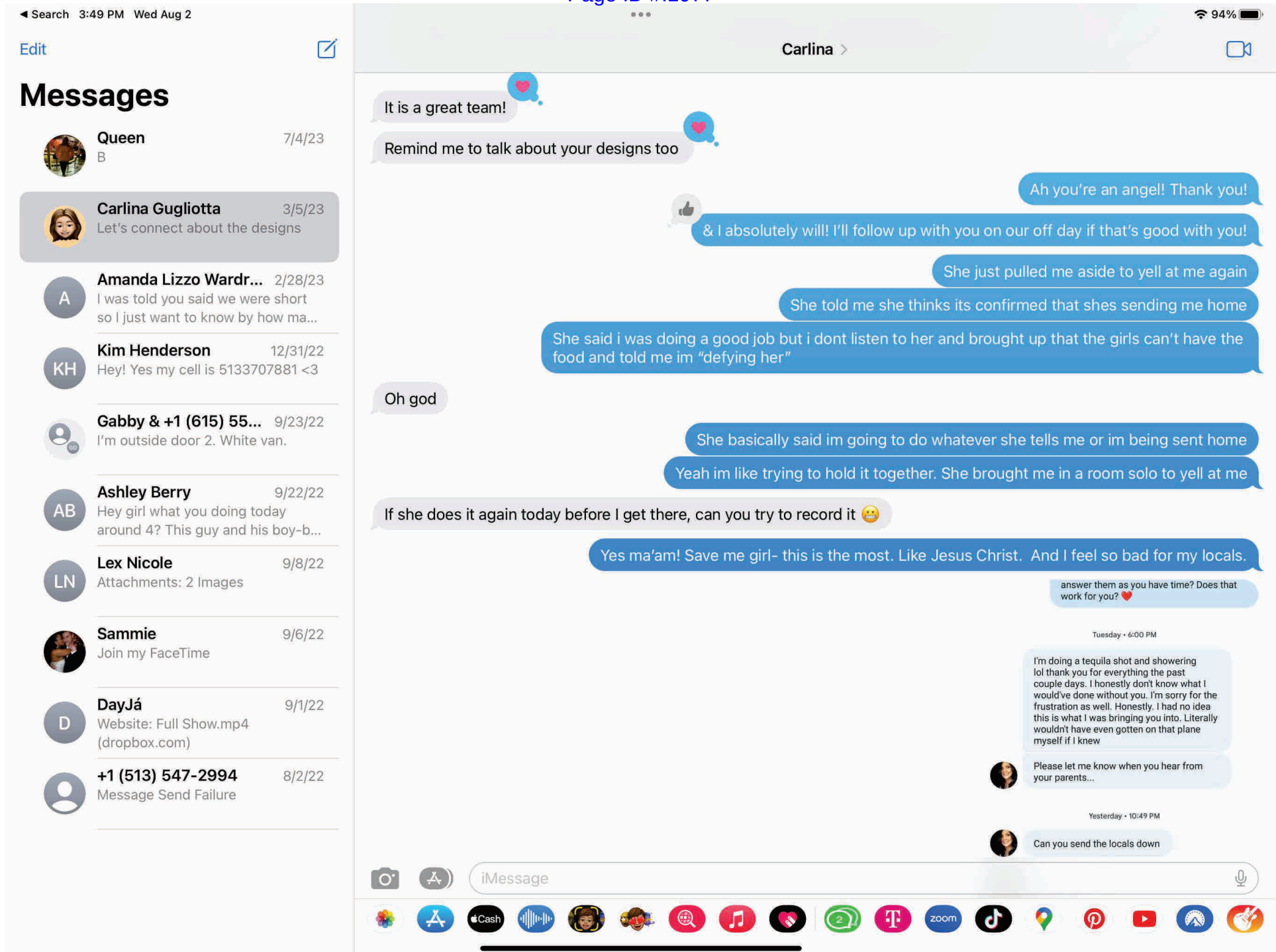
Fully get it, you are heard so dont worry. Im not going down a "she said this, she said that" route. It just needs to stop, reset, and you guys start again. I wont tolerate people feeling bullied.



iMessage



DAN 000026



DAN 000027

Search 3:49 PM Wed Aug 2

Edit

Messages

Queen 7/4/23
B

Carlina Gugliotta 3/5/23
Let's connect about the designs

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Sammie 9/6/22
Join my FaceTime

DayJá 9/1/22
Website: Full Show.mp4 (dropbox.com)

+1 (513) 547-2994 8/2/22
Message Send Failure

Carlina >

Fast please

Yes

Otw

Just just wanted to share this with you too

Ok got it

Fri, Feb 24 at 10:48 AM

She just pulled me aside again to tell me not to talk to anyone from Bree runways's crew and said i was "talking shit". I told her I wasn't, told her I don't want to be bullied by her & that everything was good to go for the show and that we're ahead of schedule. Just keeping you updated- sorry forgot to record

I got the catering bit wrong, locals have separate, it's not part of us

& that's fine. I didn't know and that's all I was saying to her is that no one told me and it's all I've seen.

Fri, Feb 24 at 1:08 PM

Hey Asha

Let me know when you have time to chat

Now

I'm just grabbing laundry- lmk where to meet you

My office

Ok past lizzo?

Oposite catering. Nee to Amandas room

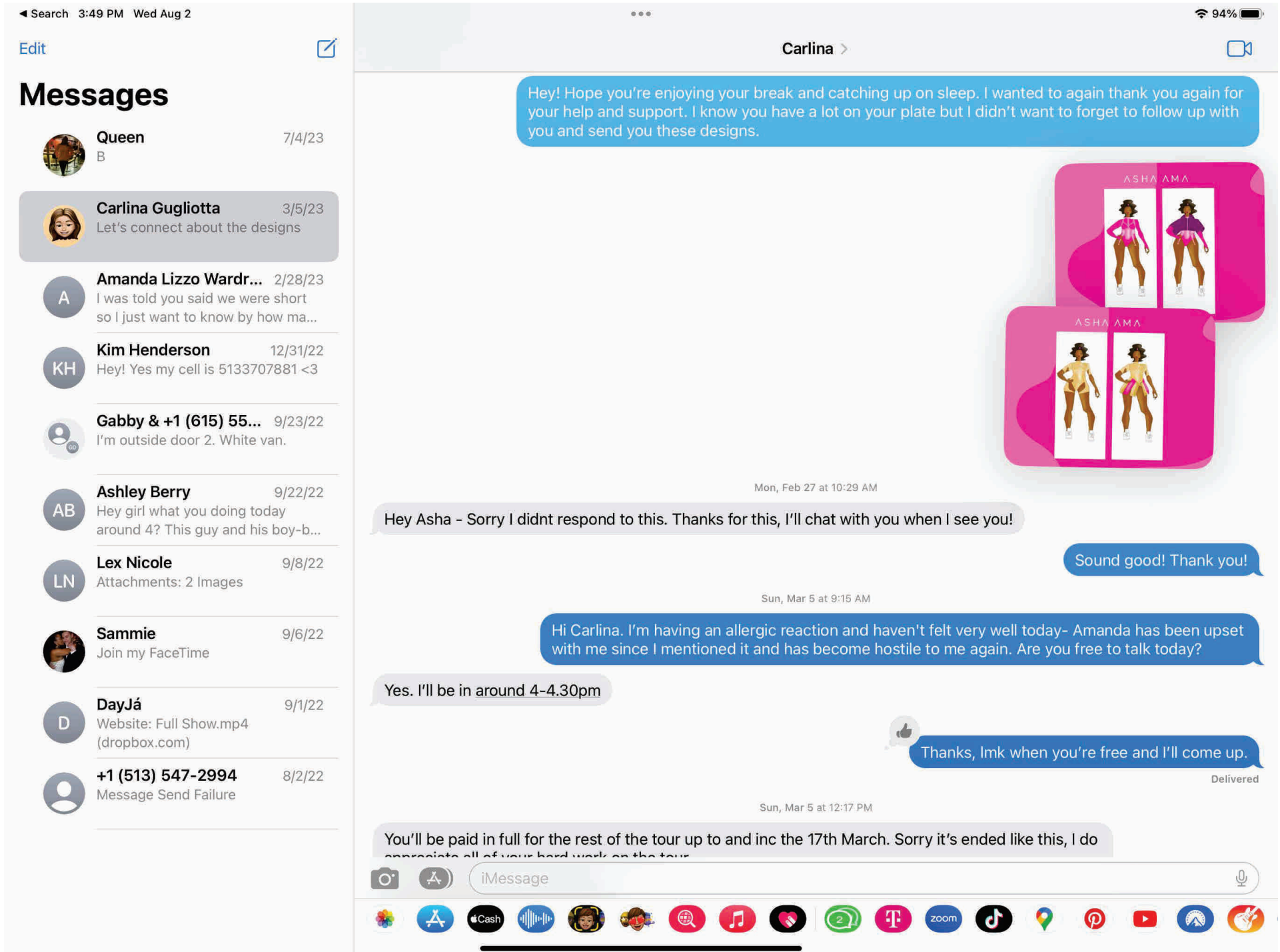
Next to*

Sun, Feb 26 at 10:41 AM

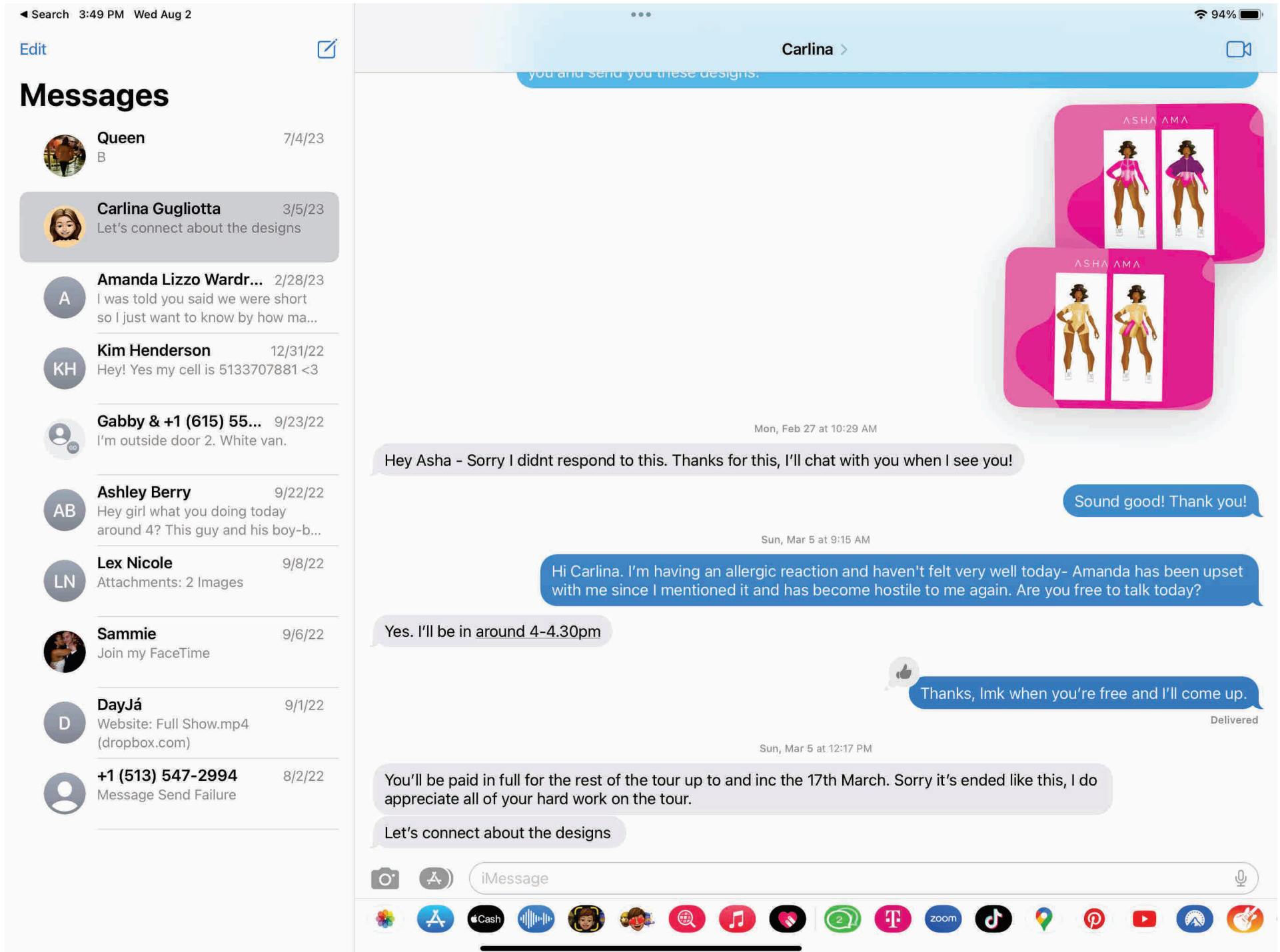
Hey! Hope you're enjoying your break and catching up on sleep. I wanted to again thank you again for your help and support. I know you have a lot on your plate but I didn't want to forget to follow up with you and send you these designs.

iMessage

App Store, Cash, Podcasts, Photos, Messages, Music, Maps, Safari, Zoom, TikTok, YouTube, Instagram, WhatsApp, Telegram, Signal, Messenger, Email, Phone, Settings, Control Center



DAN 000029



DAN 000030